

REQUEST FOR COUNCIL ACTION

SUBJECT: Planned-Center Signs

SUMMARY: **Text Amendment;** Amending portions of Chapter 12 & 13 to allow Planned-Center and Project Identification signs; City-wide applicability; Anderson, Wahlen, and Associates/Brandon McDougald (applicant); [Greg Mikolash # TA20140006].

FISCAL IMPACT: None.

STAFF RECOMMENDATION:

Staff recommends that the City Council accept the findings contained in the staff report and approve the proposed text amendment as recommended by the Planning Commission.

PLANNING COMMISSION RECOMMENDATION:

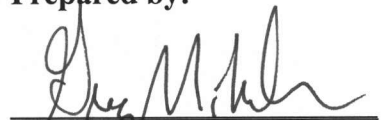
On August 5, 2014, in a 5-0 vote, the Planning Commission recommended to approved the proposed amendment for Planned-Center signs.

MOTION RECOMMENDED:

“Based on the findings set forth in this staff report, and upon the evidence and explanations received today, I move that the City Council approve Ordinance 14- 29 including the proposed Text Amendments to Title 12 and 13, as addressed in the Staff Report.”

Roll Call vote required

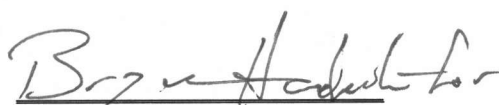
Prepared by:


Greg Mikolash, City Planner

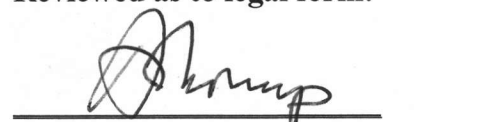
Reviewed by/Concur with:


Tom Burdett, Development Director

Recommended by:


Richard L. Davis, City Manager

Reviewed as to legal form:


Robert Thorup, Deputy City Attorney

BACKGROUND / ANALYSIS

The construction of large new developments in the city and the onset of improved monument and pole signage in the industry have prompted Smith's Food and Drug Stores, Inc. and Peterson Development to request the allowance of two new sign-types within the City of West Jordan. These being a larger integrated pole/monument sign which will be identified as a "Planned-Center" sign in the Code, and monument identification signs in round-a-bouts (or other public rights-of-way) to be identified as "Project Identification" signs.

Upon meeting with administrative City staff with regard to signs in public right-of-ways, specifically the proposal to allow for Project Identification signs in round-a-bouts, it was determined that the best avenue for clarifying the practicality of allowing for such signage would be to have the Planning Commission and City Council review the proposal in a conceptual manner. In general, staff questioned several key aspects for allowing "private" signage in public right-of-ways. On August 5th, the Planning Commission discussed the proposal of allowing private Project Identification signs in public right-of-ways, arriving at the same conclusions and concerns as staff – indicating that the following would need to be addressed before proceeding with an actual amendment to the Code:

- What entity is liable for damages created from the sign?
- Will there be established guidelines for placement, size, and safety?
- Who is to be the perpetual maintenance entity of these types of signs?
- Who is responsible for the quick replacement of these types of signs?
- Is bonding necessary for maintenance and/or replacement?
- Is an agreement or revocable permit necessary or required for signs on public property?

Planning and administrative staff are comfortable with proceeding with a City Council decision with respect to the Planned-Center sign proposal as none of the concerns as outlined above for the Project Identification signage would come into play. The findings of fact in this report will only reflect discussions for the proposed Planned-Center signs. Staff intends to further research the feasibility and possible of permitting Project Identification signs, where the item will be brought back to the City Council for discussion once this research is complete.

The proposed text amendment was brought before the Planning Commission on August 5th for discussion and a public hearing. At that meeting, the Planning Commission forwarded a positive recommendation to the City Council (5-0 vote) with respect to Planned-Center signs and the amendments to Titles 12 and 13. The minutes of that meeting are attached as Exhibit A.

The proposal to permit Planned-Center signs will affect section 12-1-4: Definitions of the sign code; section 13-3-2: Sign Standards; section 13-3-3: Exceptions and Qualifications for Specific Sign Types; and, 13-17-2: Types of signs permitted in zoning districts of the zoning ordinance. The proposed text is attached as Exhibit B in this report.

FINDINGS OF FACT

Section 13-7-D-7B, requires that prior to making a positive recommendation to the City Council for a Zoning Ordinance text amendment, the Planning Commission shall make the following findings:

Criteria 1: *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

Discussion: The 2012 Comprehensive General Plan has applicable goals and policies which state the following with respect to signage:

Chapter 9 – Urban Design: (page 126-143)

Goal 1. Promote and Foster Good Urban Design at the Community, Neighborhood, and Individual Project Levels.

Policy 1. Public and private development at all levels should exhibit a high level of urban design.

Implementation Measures:

5. Establish, regularly review, and enforce standards for improving the visual quality of roadside appearance.

Goal 2. Strengthen the Identity and Image of the City of West Jordan.

Policy 1. Community design standards should be established that will help create a unique and powerful identity and sense of place for West Jordan.

Implementation Measures:

3. All signs in the city should be high quality and promote a positive image.

Although the proposed amendments modify the current code, the proposals remain consistent with the goals and policies as established in the General Plan.

Finding: The proposed amendment conforms to the General Plan and is consistent with the adopted goals, objectives and policies described therein.

Criteria 2: *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;*

Discussion: There is sufficient justification for a modification to the zoning code because this type of sign allows for the aggregation of business signs that would otherwise result in a cluster of signage adjacent to the major right-of-ways.

Through proper site location, height, lighting and separation requirements, staff finds that there is sufficient justification for the conditional permitting of Planned-Center signs in appropriate zones in large developments.

Finding: The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to the appropriate Sections of the Municipal Code.

Criteria 3: *The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and*

Discussion: The proposed amendment will have a city-wide impact, with no particular area singled-out. The existing General Plan and Zoning Ordinance requirements ensure that the proposed amendments will not adversely affect development within the city or create a conflict with any other sections of the Municipal Code. The application of an Administrative Conditional Use Permit for any such signage, in all instances, will also ensure that any perceived or real impacts can be mitigated.

Finding: The proposed amendment will not create a conflict with any other section or part of the Municipal Code or the General Plan.

Criteria 4: *The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.*

Discussion: The proposed amendment will have city-wide implication and does not relieve any particular hardship or confer any special privileges to a single property owner or cause. The proposed amendment is deemed desirable given the scope and scale of new developments in the City, and the fact that the Comprehensive General Plan has goals and policies which warrant and promote such signage.

Finding: The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

CONCLUSION:

The proposed text amendment to allow for Planned-Center signage is warranted and not contrary to any current goals and policies in the General Plan or conflicting with Title 12 (Signs) and 13 (Zoning Ordinance) of the Municipal Code.

MOTION RECOMMENDED:

Based on the findings set forth in this staff report, and upon the evidence and explanations received today, I move that the City Council approve Ordinance 14-____ including the proposed Text Amendments to Titles 12 and 13 relating to Planned-Center signs as addressed in this report.

If the moving Council Member disagrees with the staff's findings and conclusions and finds substantial evidence supporting a different result, the following motion may be given:

Based on the findings set forth in this staff report, and upon the evidence and explanations received today, I move that the City Council disapprove Ordinance 14-____ including the proposed Text Amendments to Titles 12 and 13 relating to Planned-Center signs. Specifically, I disagree with the Staff and find that the following required criteria for a Text Amendment has/have not been met:

1. The proposed amendment conforms to the General Plan and is consistent with the adopted goals, objectives and policies described therein;
2. The proposed amendment are appropriate given the context of the request and there is sufficient justification for a modification to this title;
3. The proposed amendment will not create a conflict with any other section or part of this title or the general plan; and
4. The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title in light of corrections or changes in public policy.

Which criteria has been met or not met? Why?

Note: All applicable criteria must be met to support a positive action by the City Council.

ATTACHMENTS:

- Exhibit A – Planning Commission Minutes
- Exhibit B – Planned-Center sign example
- Exhibit C – Letter of Intent
- Exhibit D – Legislative Copy
- Exhibit E – Ordinance



Melanie S. Briggs, MMC
City Clerk
8000 South Redwood Road
West Jordan, Utah 84088
801-569-5117
Fax 801-563-4716

August 21, 2014

Brandon McDougald
Anderson Wahlen and Associates
2010 North Redwood Road
Salt Lake City, UT 84116

Dear Brandon:

The City of West Jordan City Council will hold a public hearing on Wednesday, August 27, 2014, at 6:00 p.m. at the West Jordan City Hall 8000 South Redwood Road, 3rd Floor, Council Chambers, to receive public comments prior to considering amending the 2009 West Jordan Municipal Code, Title 12 and Title 13 to allow Planned Center and Project Identification Signs; City-wide; Anderson Wahlen and Associates/Brandon McDougald, applicant. Copies of the City Council agenda packet for the items listed below will be available at the City offices, or on the [City Council Agenda](#) webpage the Friday prior to the meeting.

You are invited to attend the Public Hearing and take part in the discussions and voice any support or concerns you may have. Items may be moved on the agenda or tabled by the City Council. Copies of the agenda packet for this meeting will be available at the West Jordan libraries and on the City's website www.wjordan.com approximately 4 days prior to the meeting.

If you have any questions, please feel free to call me at 801-569-5117.

Sincerely,

Melanie S Briggs, MMC
City Clerk

Cc: Planning Department
File



Melanie S. Briggs, MMC
City Clerk

8000 South Redwood Road
West Jordan, Utah 84088
(801) 569-5117
Fax (801) 563-4716

THE CITY OF WEST JORDAN, UTAH
NOTICE OF PUBLIC HEARING

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Published this 15th day of August 2014
Melanie S Briggs, MMC
City Clerk

**Exhibit A
Draft Planning
Commission Minutes
Attached**

Exhibit A Planning Commission Minutes

6. Text Amendment – Continued from 7-15-14 - Amend portions of the West Jordan Municipal Code Title 12 and Title 13 to allow Planned Center and Project Identification Signs; City-wide; Anderson Wahlen and Associates/Brandon McDougald (applicant) [#TA20140006]

Brandon McDougald, applicant, Anderson Wahlen and Associates, 2010 North Redwood Road, stated they are working with Peterson Development and Smith's Food and Drug stores on this amendment. The Highlands commercial is under construction, and they discovered that their proposed signs do not fit within the current code. One of the signs is referred to as a Planned Center sign. You see these in other municipalities where a large commercial development with multiple tenants can all be located on a common sign in order to eliminate signs on the street frontage. He showed some examples of the signage. The current pole sign ordinance isn't applicable because the sign isn't within the anchor tenant parcel. He submitted ordinances from Draper and Sandy cities for discussion. The other type of sign is referred to as Project Identification sign. It will identify that you have entered The Highlands area and is proposed to be within the roundabouts in the public right-of-way. Staff had some concerns that they wanted the commission to discuss.

Greg Mikolash said they will discuss the Planned Center sign at this time. He referred to the legislative table in the staff report and read the definition. The purpose of the sign is to eliminate some of the clutter of multiple signs in a campus-type setting. He reviewed the proposed sign standards table. This type of sign would require an administrative conditional use permit approval.

Staff recommended that the Planning Commission accept the findings contained in the staff report and forward a positive recommendation to the City Council for the proposed text amendment to allow Planned Center and Project Identification Signs.

Zach Jacob asked if 'contiguous campus or business-style environment' is defined anywhere in the code, because it seems to be ambiguous and could allow for signs in unintended locations.

Tom Burdett suggested that they remove the words 'business-style' from the definition.

Greg Mikolash said they could put a definition of campus in the code.

David Pack agreed that they should define campus-style. On criteria two it says that the sign is the aggregation of business signs as opposed to a cluster of single signs, which he liked. But he didn't want things to get too large.

Ellen Smith said depending on the type of road, signage can be too small if there are a lot of businesses on one marquee. She said they can take out the reference to business-style environment, but they don't want to be too specific or too vague.

David Pack felt that this fits along a freeway like those on Bangerter Highway for Jordan Landing, but he didn't know if he would want it interior to that on Campus View Drive.

Ellen Smith said if they are driving on arterial or collector streets at a certain speed you need to have enough time to spot what you are looking for. She thought that the size provisions are adequate and not too large.

Dan Lawes opened the public hearing.

Further public comment was closed at this point for this item.

Zach Jacob was not against this type of sign and was needed for the Highlands. His point of concern is when there is city-wide applicability but it is only being applied to one instance. He wanted to be sure it wouldn't be misapplied somewhere else. He felt that the administrative conditional use permit process would mitigate any of the unintended consequences even as it is written.

MOTION: Dan Lawes moved to forward a positive recommendation to the City Council for the proposed text amendments to Title 12 and 13 as addressed in the staff report, relating to the addition of Planned-Center signage; Anderson Wahlen and Associates/Brandon McDougald (applicant). The motion was seconded by Bill Heiner and passed 5-0 in favor. Lesa Bridge and Sophie Rice were absent.

DRAFT





May 30, 2014

Mr. Mark Forsythe
The City of West Jordan
8000 South Redwood Road
West Jordan, UT 84088

**RE: The Highlands – Smith's #274
Text Amendment Justification**

Dear Mr. Forsythe,

Smith's Food and Drug Stores, Inc. and Peterson Development is constructing a commercial development known as "The Highlands" at 7800 South 5600 West in West Jordan, Utah. The Highlands has frontage along both 7800 South and 5600 West (approximately 1000 ft. each street). The Highlands will comprise of a 124,000 square foot Smith's, a Smith's Fuel Center and multiple pad sites and retail shops. Due to the variety of retailers on site, a "Center Sign" is proposed along 7800 South and 5600 West to consolidate signage onto a common sign along each street. A "Center Sign" is commonly used in commercial developments to reduce the agglomerations of signage along streets.

Similarly, The Highlands is proposing to install "Project Identification Signs" at each of the roundabouts adjacent to the development. Project identification signs are commonly used in large developments, providing project identification when entering a development.

The current zoning ordinance for the City of West Jordan does not identify either of these two types of signs. As such, a text amendment is requested to properly identify these signs so that both proposed signs can be used for this development and future developments within the City.

Please find below a reason and justification for the zoning text change:

As mentioned above the current zoning ordinance for the City of West Jordan does not recognize a "Center Sign" or a "Project Identification Sign". Both signs are commonly used in land development and provide consolidated tenant signage (reducing the amount of signs along street frontage), and provide project identification respectfully.

Both signs typically provide aesthetically pleasing architectural features and provide a common theme for the overall development.

As requested in the application and for the purpose of comparison, both Sandy City's and Draper City's Sign Code is attached to this letter identifying the sections that recognize the above referenced signs. In

Draper City the "Center Sign" is referred to as a "Tower Sign", whereas in Sandy City it is referred to as a "Pylon Sign". Similarly, the "Project Identification Sign" is referred to as a "Neighborhood Identification Sign" in Sandy City.

Smith's Food and Drug Stores, Inc. and Peterson Development thanks you for your consideration of this text amendment.

Sincerely,

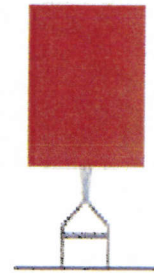
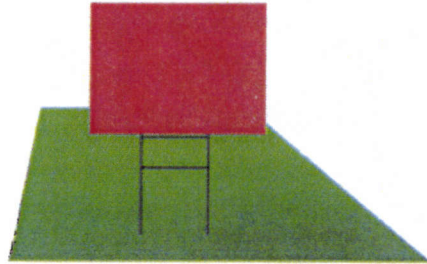
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Brandon McDougald
Anderson Wahlen & Associates, Inc.

DRAPER

Sign Allowance. The total cumulative sign type and area for all signs allowed to any one business, development, or applicant.

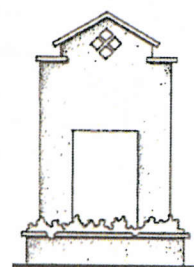
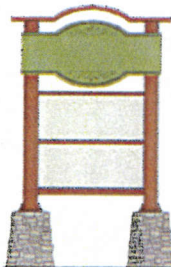
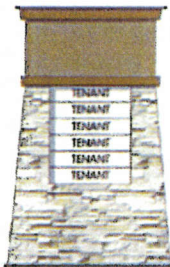
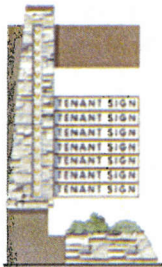
Snipe Sign. A sign or other advertisement, typically made of non- or semi-durable materials, mounted to a tree, or utility pole, or to the ground by nails, staples, a wire frame, or similar device within a right-of-way including public or private parkstrips and medians or on public property.



Temporary Sign. Any sign not permanently attached to the ground, wall, or building, intended to be displayed for a limited period of time.



Tower Sign. A high-profile, on-premise sign completely self-supported by supports or other sign apparatus independent of any building or other structure with architectural or decorative elements incorporated into the supports as well as the sign.



Vehicle Sign. Any magnetic, painted, permanently attached, or temporarily attached sign which is affixed to a vehicle or trailer. This definition does not apply to banner signs attached to vehicles, signs or lettering on public transit vehicles, taxis or company vehicles operating during the normal course of business or parked in a legally designated on-site parking space at the location of the company owning the vehicle.



DRAPER

- iii. The maximum height shall be six feet.
- iv. The maximum vertical dimension of the cabinet or panel shall be four feet.
- v. The maximum horizontal dimension of the cabinet or panel shall be ten feet.
- vi. Such signs shall be placed within a landscaped setting of not less than 240 square feet.
- vii. Up to 50 percent of the allowed sign area may be used for a change panel sign in conjunction with the freestanding monument sign.



3. Tower Signs.

- i. Tower signs are permitted only for developments or multiple tenant complexes with 100,000 or more square feet of building floor area, inclusive of all pads within the development, subject to the following:
- ii. Such signs shall identify the project, building, business or businesses within the development, or development.
- iii. The maximum area of such sign shall be 75 square feet.
- iv. The maximum height of such sign shall be 20 feet.
- v. The maximum number of such signs per complex or development shall be one sign.
- vi. Such sign shall be placed within a landscaped area of four square feet for each one square foot of sign area.

4. Informational Signs.

- i. The maximum number of such signs each for driveway entrance from a public or private right-of-way shall be one sign.
- ii. The maximum height of such sign shall be three feet.
- iii. The maximum area of such sign shall be four square feet.
- iv. The maximum area of business name or logo on such sign shall be one square foot.
- v. Where a driveway is shared the maximum area of such sign shall be eight square feet.

will be used, the signage on the awning shall be limited to 25 percent of the awning. Total allowable copy area between the awnings and wall signage shall not exceed 15 percent of the business' primary elevation.

- B. **Directional or Instructional Signs.** Signs which provide direction or instruction and are located entirely on-premise are permitted. Directional signs shall not exceed 4 square feet in area or 4 feet in height (See Figure 12). The number allowed shall be determined by the Director during site plan review and shall be the minimum required for safe circulation of traffic onto and within a development.



Figure 12

- C. **Pylon Signs (On-Premise)** (See Figure 13). The standards for the use of pylon signs are as follows:

1. **Developments, Planned Centers, or Parcels Less than Seven Acres.** No pylon signs are allowed, only monument signs.
- 2. **Developments, Planned Centers, or Parcels More Than Seven Acres.** The Director may approve one pylon sign per street frontage. No pylon sign shall be allowed for any planned center or parcel that has less than 300 feet of street frontage.
3. **Properties Along Interstate 15 (I-15).** The following parcels or developments may apply for a pylon sign:

- a. Parcels adjacent to and fronting I-15 or the I-15 frontage road where it runs adjacent to I-15.
- b. Properties north of 9000 South on the west side of the freeway and within 100 feet of the I-15 right-of-way.

4. **Area Standards.** A sign area may not exceed the size set forth in this chapter and must be part of an approved sign theme. Reader boards, changeable copy areas, and electronic message centers shall not exceed 50 percent of the total sign copy area of the sign.

5. **Height Standards.**

- a. The height of a pylon sign shall be the distance from the highest point of the sign to the top of the curb or sidewalk or crown of the street when there is no curb or sidewalk. Signs may not exceed 25 feet above grade. Properties along I-15 or the frontage road may have a height not greater than 25 feet above the nearest traveled freeway lane or frontage road, whichever is greater.



Figure 13

- b. The Director may grant a special exception for additional height to businesses that are adjacent to a freeway overpass or similar view obscuring structure (excluding vegetation) based on the following criteria and submittals:

- (1) A topographic map with 1 foot interval contours is provided to illustrate existing conditions at the site.

islands shall be regulated per this Chapter.

- c. Sign copy as an illuminated architectural element of a building shall be calculated as that portion of the illuminated surface or illuminated element which contains sign copy (See Figure 5).
 - d. The regulated area of a monument sign shall include all parts of the sign or structure that contain identification (words or symbols) and information (See Figure 6).
 - e. The regulated area of a pylon sign shall include all parts of the sign or structure that contain identification (words or symbols) and information (See Figure 7).
2. **Multiple Face Signs** (including but not limited to pylon or monument signs).
 - a. **Double Panel.** If the interior angle between two faces is 45 degrees or less, the sign area to be measured is a single face. If the angle is greater than 45 degrees, the sign area to be measured will be the area sum of the areas of the two faces (See Figure 8).
 - b. **Three or More Faces.** The sign area shall be the sum of the areas of the three or more faces.
 3. **Non-Planer Signs.** For spherical, free-form, or other non-planer signs, the sign area shall be the sum of the areas of the four vertical sides of the smallest polyhedron that will encompass the sign structure (See Figure 9).

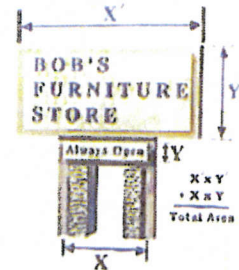


Figure 7

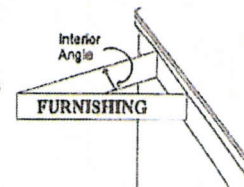


Figure 8

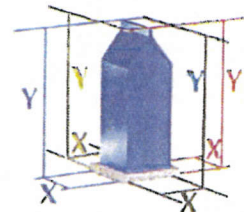


Figure 9

15A-26-06 Standards for Permanent Signs Allowed Without a Permit

- A. **Building Identification.** Numbers which are used to denote the address of a building shall not be counted against the allowable square footage for the same building but must comply with the standards for building identification as found in the Sandy City Property Addressing section of this Development Code.
- B. **Home Occupations.** A legally licensed business in a residence may have a single, one square foot in area, non-illuminated, flat wall sign mounted to the residence.
- C. **Institutional Uses.** Churches, public schools, public utility companies, libraries, governmental buildings, parks, public golf courses, etc. are allowed a single monument sign of 32 square feet per street frontage. Wall signs shall be regulated as set forth in this chapter.
- D. **Memorial Signs.** These include signs or tablets with the names of buildings and date of erection cut into any masonry surface or inlaid so as to be part of the building.
- E. **Neighborhood Identification Signs.** In any zone district, a sign, masonry wall, landscaping, and other similar materials or features may be combined to form a display for a neighborhood or planned unit

→ development project identification provided that such signs comply with the monument sign standards herein.

- F. **Notice Bulletin Boards.** Notice bulletin boards for institutional buildings may not exceed 32 square feet in area. Such signs must be oriented solely to the interior of the property and not be used to direct exterior vehicular attention to the institution or its services.
- G. **Plaques.** Plaques, name plates, and commemorative plaques of recognized historical agencies, not exceeding 2 square feet, may be fastened directly to a building.
- H. **Wayfinding Signs.** As set forth by the Sandy City Construction Standards.
- I. **Symbols or Insignia.** Religious symbols, identification emblems of religious orders, or historical agencies are permitted provided that such signs conform to the relevant wall or monument sign standards herein.

15A-26-07 Standards for Permanent Signs that Require a Permit

- A. **Signs on Awnings and Canopies.** Signs on awnings and canopies must meet the following standards:

1. **Materials.** Awning and canopy coverings shall be made of Sunbrella or other similar material. Materials with a glossy finish are not permitted.
2. **Awnings.** Awnings on non-residential buildings are required to be approved by the Planning Department and Building Department. (For appropriate awning placement and dimension standards, see the Sandy City Architectural Design Standards.)
3. **Signs on Awnings.** Signs on awnings shall be limited to street level businesses only (See Figure 10). Signage on an awning shall be limited to 40 percent of the awning. Total copy area on awnings shall not exceed 15 percent of the primary business wall area. Translucent letters or accents sewn into awnings are permitted.
4. **Canopies.** No sign shall be constructed or placed on top of the roof of any canopy. Translucent letters or accents sewn into opaque canvas or acrylic coverings are permitted up to 40 percent of a canopy face (See Figure 11). (For appropriate canopy placement and dimension standards see the Sandy City Architectural Design Standards.)
5. **Illumination of Awnings or Canopies.** Illumination of awnings or canopies with signage shall be external. Backlit awnings may be used in conjunction with other site lighting for lighting walkways, entrances, and providing a safe environment.
6. **Signs on Awnings or Canopies in Combination with Wall Signs.** Combinations of signs on awnings or canopies with wall signs are permitted. If a combination of awning and wall signage

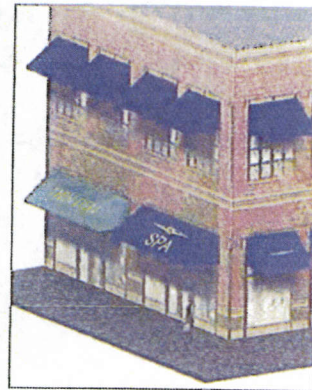


Figure 10



Figure 11

Exhibit D Legislative Draft

Legislative Draft

Exhibit D

12-1-4: DEFINITIONS:

Planned-Center Sign: A large freestanding sign designed or intended to direct attention to a variety of facilities or uses on properties containing two (2) or more lots or buildings and situated in a contiguous campus or business-style environment. All Planned Center Signs shall be supported by a pole or poles and mounted permanently to the ground by a brick or stone base not less than 2-feet in height.

12-3-2: SIGN STANDARDS:

**** PARTIAL TABLE ****

Sign Type	Sign Standards				
	Maximum Area	Maximum Height/ Projection/Width	Density	Spacing	Front Setback
<u>Planned Center sign</u>	<u>250 sq. ft.</u>	<u>Height: 25'</u>	<u>1 per frontage onto an arterial/collector right of way</u>	<u>200' from any other pole sign, 150' from any monument sign and 50' from any other freestanding sign, except bus bench and bus shelter signs</u>	<u>n/a</u>

12-3-3: EXCEPTIONS AND QUALIFICATIONS FOR SPECIFIC SIGN TYPES:

T: PLANNED CENTER SIGNAGE: Planned Center Signs shall be applied to projects serving a variety of facilities and uses where the buildings are distributed in a contiguous campus, regional business center, research park, or large planned development type of setting. The purpose of this type of signage is to advertise businesses along major rights-of-way in a campus type of setting, where due to the scale of uses on several properties, larger on-campus signage is warranted and necessary.

- A. Location: The placement and location of a Planned Center Sign is subject to review by the Zoning Administrator through an Administrative Conditional Use Permit process. The intent is to allow for such a sign or sign(s) to direct people and traffic to a large campus or regional business center. It is considered an on-premise sign. The Planned Center sign is common to all properties in the campus and may be located on any lot or common area within the campus. The intent is to allow signage that displays only those businesses and facilities located within the campus or business or center.

13-17-2: TYPES OF SIGNS PERMITTED IN ZONING DISTRICTS:

**** PARTIAL TABLE ****

	Zoning District ¹																			
Sign Type	A	R-1	R-2	R-3	R-R	R-E	R-M	PRD	PC	P-O	BR-P	C-G	C-M	SC-1	SC-2	SC-3	M-P	M-1	M-2	P-F
<u>Planned Center Sign</u>									<u>AC</u>	<u>AC</u>	<u>AC</u>				<u>AC</u>	<u>AC</u>	<u>AC</u>			

**Exhibit E
Ordinance
Attached**

Exhibit E Ordinance

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 14- 29
[PLANNED CENTER SIGNAGE]

AN ORDINANCE AMENDING TITLE 12, "SIGN REGULATIONS"
AND TITLE 13, "ZONING REGULATIONS."

WHEREAS, the City of West Jordan adopted a City Code in 2009, for the purpose of carrying into effect and discharging all powers and duties conferred by law upon the city and its officers, employees and inhabitants, and to provide for the safety, preserve the health, promote the prosperity, improve the morals, peace, good order, comfort and convenience of the city and its inhabitants, and to protect property in the city; and

WHEREAS, the West Jordan City Council finds and determines that the purpose of the 2009 City Code, and the public health and welfare, will best be reached by the adoption of the following amendments to Title 12, Chapters 1 and 3; and Title 13, Chapter 17 of the 2009 City Code.

NOW THEREFORE, IT IS ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

Section 1. Title 12, Chapter 1, Section 4 of the 2009 City Code shall hereafter read as follows:

12-1-4: DEFINITIONS:

In this title, the terms, phrases, words and their derivatives shall have the meaning as stated and defined in this title, unless the context indicates a contrary meaning. Terms defined in title 14 of this code, the city subdivision ordinance, and title 13 of this code, the city zoning ordinance, shall have the same meaning when used in this title.

A-FRAME SIGN: A freestanding, permanently permitted portable sign usually constructed of two (2) separate sign faces attached at the top.

ABANDONED SIGN: A sign that is left on property for a period of time in excess of forty five (45) calendar days after the business or use that it advertises has moved to another location or ceased doing business.

ANIMATED SIGN: A sign with parts or sections having physical movement or revolution up or down, around, or sideways that changes at intervals of less than 60 seconds, but not including time and temperature signs or electronic message centers.

AWNING SIGN: A sign constructed of a framework that is mounted to a building or canopy. The framework is usually covered with a light fabric that may be translucent. The awning cover may contain advertising or identifying copy, graphics or design and may be backlit. Awnings used strictly as protective structures for windows and doors and having no sign copy or design are not signs and may display the building address only.

BACKLIGHTED SIGN: A sign with the light source positioned inside or behind the sign face, such as behind raised letters and awnings or inside sign cabinets, the lighting source of which is not itself visible to the observer.

BANNER: Any cloth, bunting, plastic, paper or similar material used for temporary advertising which is attached to or appended from a building.

BENCH SIGN: A sign that is applied to the back of a bench located at a bus stop designated by the Utah transit authority.

BILLBOARD OWNER: The owner of a billboard in the city of West Jordan.

BILLBOARD SIGN: A billboard sign (digital display) and/or a billboard sign (non digital display) as the context may require.

BILLBOARD SIGN (Digital Display): A freestanding ground sign with a changing digitally created and electronically controlled message face designed or intended to direct attention to a maximum of six (6) businesses, products or services, during any five consecutive minutes of image change, which products or services are not sold, offered or existing on the property where the billboard is located. A billboard sign shall have no more than two (2) message display faces, which must be back to back. Billboard sign structures with two (2) or more faces side by side, or one on top of the other, are prohibited.

BILLBOARD SIGN (Non Digital Display): A freestanding ground sign designed or intended to direct attention to a maximum of two (2) businesses, products or services that are not sold, offered or existing on the property where the billboard is located. A billboard sign shall have no more than two (2) message display faces, which must be back to back. Billboard sign structures with two (2) or more faces side by side, or one on top of the other, are prohibited.

CHANGEABLE COPY SIGN: A sign, other than a billboard sign, on which the text or copy is changed manually or electronically.

CLEAR VISION ZONE: Corner areas at intersecting streets and driveways in which unobstructed vision of motor vehicle operators is maintained and which are subject to the limitations set forth in section 13-8-4 of this code.

CONFORMING SIGN: A sign that meets all provisions of this title.

CONSTRUCTION SIGN: A sign, on premises or off premises, which directs to, identifies or describes the development or construction of, a use, building or buildings which are planned or currently under way, located within the city boundaries.

CONVERT: "*Converted*" and "*conversion*" refers to any billboard sign face that is changed from its existing, non-digital or non-electronic display to an electronic display sign. Any existing billboard sign (non digital display) that is remodeled, repaired, or maintained in such a way as to become a billboard sign (digital display), in whole or in part, shall be considered a conversion to a billboard sign (digital display).

COPY: The wording on the display surface of a sign.

DIRECTIONAL SIGN: A sign limited to directional messages such as one way, entrance and exit, and have no advertising copy.

DIRECTORY SIGN: A variation of a monument or wall sign on which the names and locations of occupants or the use of a building or property are identified, but which does not include any advertising message.

DWELL TIME: The time that text, images and graphics on a billboard with an digital display remains static before changing to a different text, images or graphics on a subsequent sign face.

ELECTRONIC MESSAGE SIGN: A display consisting of an array of light sources, panels or disks that are electronically activated.

EXTENDING SIGN: A sign that projects more than twenty four inches (24") from a wall.

FREESTANDING SIGN: A sign that is self-supported by poles, pylons or other structural supports mounted in the ground.

FREEWAY ORIENTED SIGN: An on premises sign located on a regional commercial SC-3 site which is adjacent to a limited access highway or freeway.

ILLEGAL SIGN: Any sign that violates any of the city of West Jordan ordinances, or is determined to not be a conforming sign.

ILLUMINANCE: The amount of light falling on an object or the measurement of such light.

ILLUMINATED OR LIGHTED SIGN: A sign equipped with artificial lighting devices for the purpose of improving the sign's visibility.

ILLUMINATION: *Illumination* or "*illuminated*" means a source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on and in the immediate vicinity of the sign.

INDIRECT ILLUMINATION: A light source not seen directly.

INFLATED SIGN: Any advertising device that is supported by heated or forced air or lighter than air gases.

KIOSK SIGN: A structure with four (4) sides or less upon which a subdivision, planned residential development, homebuilder, multi-family development or public service sign panel may be mounted.

LOW MAINTENANCE SIGN: A sign composed of sign materials that do not require frequent replacement, painting or refurbishing as a result of exposure to the elements.

MAINTENANCE: To repair, refurbish, repaint or otherwise keep an existing billboard and its structure safe and in a state suitable for use, including signs destroyed or damaged by vandalism, an act of God, or casualty.

MAJOR PYLON SIGN: A freestanding sign, not more than twenty five feet (25') in height, supported by a single column having a width that is twenty five percent (25%) or more of the width of the sign.

MAJOR STREET CONSTRUCTION: The repair or reconstruction of a street where access to adjacent properties is restricted for more than seven (7) consecutive days.

MINOR PYLON SIGN: A freestanding sign, not more than twelve feet (12') in height, which is supported by a single column having a width that is twenty five percent (25%) or more of the width of the sign.

MONUMENT SIGN: A freestanding identification, advertising or business sign which is supported by a pole or base having a combined width greater than two feet (2') which is mounted permanently in the ground.

NAMEPLATE SIGN: A wall sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises, or indicating a home occupation legally existing on the premises.

NEIGHBORHOOD ENTRYWAY SIGN: A permanent sign used to identify the main entrance of a neighborhood located on collector and arterial streets, which is incorporated into an approved wall or fence.

NONCOMMERCIAL SIGN: Any sign that does not do any of the following:

- A. Advertise or promote, directly or indirectly, a product or service for profit or for a business purpose; or
- B. Directly or indirectly propose a commercial transaction.

OFF PREMISES SIGN: A sign indicating the availability of goods or services at a location other than the location of the sign.

ON PREMISES SIGN: A sign located on the property that it serves.

PEDESTAL SIGN: A portable sign supported by a column or columns and a base.

PLANNED-CENTER SIGN: A large freestanding sign designed or intended to direct attention to a variety of facilities or uses on properties containing two (2) or more lots or buildings and situated in a contiguous campus or business-style environment. All Planned Center Signs shall be supported by a pole or poles and mounted permanently to the ground by a brick or stone base not less than 2-feet in height.

POLE SIGN: A freestanding sign which is supported by a pole or poles mounted permanently to the ground.

PORTABLE READER SIGN: A reader sign that is mounted on a portable framework and intended for temporary use.

PORTABLE SIGN: Any sign which is prominently displayed to identify, advertise, direct or promote any person, product, company, entity or service, and which is movable in nature such as A-frames, pedestal, signs on vehicles, banners attached to freestanding poles, or similar signs which are not permanently installed in the ground.

PROJECTING SIGN: A sign that is attached to and projects from a building, pole or other support.

PROMOTIONAL SIGN: A temporary device such as banners, streamers, flags, balloons, pennants, searchlights and inflated signs.

READER SIGN: A changeable copy display that allows for the manual or electrical changing of the copy or text.

ROOF SIGN: A sign which is supported wholly or in part by and which projects over a roof.

SCULPTURED SIGN: A freeform or three-dimensional sign that has a depth greater than two feet (2').

SIGN: Materials placed or constructed, or light projected, that: a) conveys a message or image; and b) is used to inform or attract the attention of the public. Some examples of "signs" are materials or lights meeting the definition of the preceding sentence and which are commonly referred to as signs, placards, A-boards, posters, billboards, murals, diagrams, banners, flags or projected slides, images or holograms, and also includes the structure, supports, lighting system attachments and other features of the "sign". The scope of the term "sign" does not depend on the content of the message or image conveyed.

SIGN ALTERATION: The changing or rearranging of any structural part, sign face, enclosure, lighting, coloring, copy (except on reader signs), graphics, component, or location of a sign.

SIGN AREA: The portion of a sign used for display purposes, excluding the frame and supports. Only one side of a double faced sign (covering the same subject) shall be used for computing the sign area when the signs are parallel (no greater than 2 feet apart) or diverge from a common edge by an angle not greater than thirty degrees (30°). For signs that do not have defined display areas, "sign area" shall be the area of the smallest rectangle or square that will frame the display.

SIGN CLEARANCE: The height of the lower edge of the face of a freestanding sign from the finished grade.

SIGN DENSITY: The concentration of signs in a given area, frontage, district or lot. "Density", as used in this title, will usually be defined in terms of numbers of signs per lot or frontage.

SIGN DESIGN: The form, features, colors and overall appearance of a sign structure.

SIGN DEVELOPMENT PLAN: A comprehensive plan for all signs proposed for a development, and may include a combination of site plans, architectural elevations and written specifications which illustrate and describe proposed location, height, design, colors and materials for such signs.

SIGN HEIGHT: The height of a sign measured from the elevation of the nearest sidewalk or, if there is no sidewalk, from the nearest curb or, if there is no curb, from the elevation of the nearest street paving surface.

SIGN LOCATION: The position on a property where a sign is to be placed.

SIGN SEPARATION: The horizontal distance between signs measured parallel with the street or curb.

SIGN SETBACK: The horizontal distance between the property line (front or side) and the closest edge of the sign structure.

SNIPED SIGN: A sign for which a permit has not been obtained which is attached to a public utility pole, service pole, supports for another sign, fences, trees, etc.

STRUCTURAL MODIFICATION: Any change other than incidental repairs that would prolong the life of the supporting members of the sign.

STRUCTURALLY MODIFY: As to a billboard sign, does not mean to convert the billboard sign.

SUSPENDED SIGN: A sign that overhangs a pedestrian walkway beneath a canopy, eave or awning.

TEMPORARY SIGN: Any sign intended to be displayed for a definite period of time. Examples of temporary signs include, but are not limited to, most noncommercial signs, A-frame signs, balloons, banners, garage/yard sale signs, real estate signs, or special event signs.

TWIRL TIME: The time that it takes for static text, images and graphics on a billboard with an digital display to change to a different text, images or graphics on a subsequent sign face.

UPGRADE: As to a billboard sign, does not mean to convert a billboard sign (non digital display) to a billboard sign (digital display).

VEHICLE SIGN: A sign or advertising device that is attached to, painted on, placed upon, or supported by any truck, trailer, boat, other vehicle or portable structure conspicuously or regularly parked on or off premises expressly to attract attention to a business, product or promotion. This definition does not apply to signs or lettering on public transit vehicles, taxis or company vehicles operating during the normal course of business or parked in a legally designated on site parking space at the location of the company owning the vehicle.

VILLAGE CENTER ADVERTISEMENT SIGN: Pedestrian oriented signage located on a building facade and/or incorporated into the architecture of a building; displaying noncommercial content or advertising businesses, events, and other uses located within the same master planned development or environs.

WALL SIGN: A sign that is painted on or affixed to a building wall and projects less than six inches (6") from the wall. (2001 Code §§ 89-1-203, 89-6-1104; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 12-07, 4-4-2012; Ord. 13-04, 2-27-2013; Ord. 13-17, 4-24-2013; Ord. 14-22, 06-11-2014; Ord. 14-____, 08-27-2014)

Section 2. Title 12, Chapter 3, Sections 2 and 3 of the 2009 City Code shall hereafter read as follows:

12-3-2: SIGN STANDARDS:

Sign Type	Sign Standards				
	Maximum Area	Maximum Height/ Projection/Wid th	Density	Spacing	Front Setback
A-frame signs ¹	10 sq. ft. per sign face with a maximum of 2 sign faces	Height: 4'	1 per business	75' from any other sign	Signs must be within 20' of the primary entrance to the business
Animated signs	Integrated in the design of another approved sign and not to exceed 25% of the area of such sign	n/a	n/a	n/a	n/a
Awning signs ¹	Sign: 25% of the building facade Copy or design: 50% of the awning area	Height: 5' Projection: 3' or 33% of window height whichever is less	n/a	n/a	Awnings shall not project into any public right of way
Billboards ¹	300 sq. ft.	Height: 35'	See subsection 12-3-3D of this chapter	Not less than 500' from any	10'

			for density	other billboard	
Bus bench/shelter signs ^{1,2}	Bench sign: 16 sq. ft. Shelter sign: 22 sq. ft.	Bench sign height: 42" Shelter sign height: 6'	One at each UTA bus stop	500' from any other bench/shelter sign and 50' from any other freestanding sign, except pole signs. There is no required separation between pole signs and bus bench/shelter signs	A minimum distance between the front edge of the bench or shelter and the face of the adjacent curb of 48" on state roads and 24" on city streets
Changeable copy signs ¹	Integrated with another approved sign and not to exceed 30% of the area of such sign	n/a	n/a	n/a	n/a
Directional signs ¹	6 sq. ft.	Height: 6'	See spacing	50' from any other freestanding sign	Public use directional signs may be located within public rights of way Other directional signs: 18"
Directory signs	50 sq. ft.	Height: 10'	1 for each primary entrance into a commercial, industrial or office	n/a	10'

			complex		
Electronic/LED	Integrated with another approved sign up to 50% of sign area	n/a	n/a	n/a	n/a
Freeway oriented signs ¹	950 sq. ft. For master planned developments having 5,000 linear feet or more of frontage on a freeway, not more than 1 sign may be up to 1,500 sq. ft., including the area of any shopping center logo	Height: 50' For master planned developments having 5,000 linear feet or more of frontage on a freeway, not more than 1 sign may be up to 72' in height	See spacing	1 sign for each 1,000' of highway frontage	n/a
Historical markers ¹	8 sq. ft.	Height: 6'	n/a	n/a	10'
Inflated sign display ¹	n/a	Height: 25'	1 per commercial complex or 1 for each business not located in a commercial complex	200' from any other freestanding sign	In compliance with setbacks of the zone in which the sign is located
Kiosk sign ¹	Overall kiosk sign: 12' x 4'6" Sign panels: 7 (1' x 4')	Height: 12'	n/a	300' from any other kiosk sign; 50' from any other freestanding sign	n/a

Monument signs over 4' in height ¹	<p>50 sq. ft. on sites with less than 250' of street frontage</p> <p>78 sq. ft. on sites with more than 250' of street frontage</p> <p>The architectural element shall not be considered part of the sign area</p>	<p>Height: All monument signs shall sit on a base no greater than 2' in height. The sign itself shall not exceed 6' in height</p> <p>A domed, gabled or similar shaped architectural element may extend 1' above the sign for a cumulative height of 9' and may incorporate a building address but no other copy or logo shall be permitted within this area</p> <p>Width: The total width of the sign shall not exceed 13'</p>	<p>1 for sites having only 1 business</p> <p>For all other sites, as approved on a sign development plan</p>	Not less than 100' from any other freestanding sign	4' except for corner properties and all driveways, where the minimum setback is 15'
Monument signs 4' or less in height ¹	<p>20 sq. ft.</p> <p>The architectural element shall not be considered part of the sign area</p>	<p>Height: 4' above grade or 6' above the elevation of the nearest sidewalk, whichever is greater</p> <p>A domed, gabled shaped architectural element may extend 1' above the sign for a maximum height of 7' and may incorporate a building</p>	1 for each agricultural sales or service business	n/a	4' except for corner properties and all driveways, where the minimum setback is 15'

		address but no other copy or logo shall be permitted within this area			
Neighborhood entryway monument sign ¹	20 sq. ft.	Height: 4' above grade or 6' above the elevation of the nearest sidewalk, whichever is greater	2 per main entrance along collector and arterial streets for each planned development and subdivision	50' from other monument sign, 100' from any other entrance or pole sign	20'
Neighborhood entryway sign ¹	20 sq. ft.	Height: Incorporated into a wall to assume the approved wall height	2 per main entrance along collector and arterial streets	50' from other neighborhood entryway sign, 100' from any other monument or pole sign	10', outside of clear vision area
Off premises development signs ¹	32 sq. ft.	Height: 12'	1 sign per 100 residential units in a development	50' from any other freestanding sign or structure	18"
Planned Center sign	250 sq. ft.	Height: 25'	1 per frontage onto an arterial/collector or right of way	200' from any other pole sign, 150' from any monument sign and 50' from any other freestanding sign, except bus bench and bus shelter signs	n/a
Pole signs ¹	80% of the street frontage of	Height: 25'	1 sign per 200' of street frontage and 1	200' from any other pole sign,	18"

	the lot upon which the sign will be located, up to a maximum of 200 sq. ft.		additional sign for developments with 400' or more of street frontage For corner lots, each frontage shall be computed separately	150' from any monument sign and 50' from any other freestanding sign, except bus bench and bus shelter signs. There is no required separation between pole signs and bus bench/shelter signs	
Pylon sign, minor	64 sq. ft.	Height: 12'	Approved as an element of a sign development plan	Not less than 150' from any other freestanding sign	18"
Pylon sign, major	200 sq. ft.	Height: 25'	Approved as an element of a sign development plan	200' from any other pylon sign or pole sign, 150' from any monument sign, and 75' from any other freestanding sign	18"
Sculptured signs	As approved by planning commission	Height: 8' above grade or 10' above the elevation of the nearest sidewalk, whichever is greater	n/a	n/a	10'

Suspended signs	4 sq. ft.	n/a	n/a	n/a	n/a
Temporary promotional signs ¹	Wall banners: 40 sq. ft. Freestanding signs: 24 sq. ft.	Wall banners: n/a Freestanding sign height: 6'	Wall banners: 1 per business plus 1 additional banner for a business located in a building having a front face of 150 linear feet or more Freestanding signs: 1 per business. Sign shall be securely attached to the ground	Wall banners: n/a Freestanding signs: 25' from any other freestanding sign	Wall banners shall be securely attached to the building facade Freestanding signs: 18" Searchlights: 50' from the edge of any street pavement
Village center advertisement signs	15% of building facade; max. 100 sq. ft./sign	No higher than second level/story of parking structure or commercial building	As approved in the development plan	n/a	n/a
Wall signs ¹	15% of each facade of a building	Height: n/a Projection from building: Not more than 18"	1 for each business occupying a building	n/a	n/a

Notes:

1. See section 12-3-3 of this chapter for exceptions and qualifications.
2. See also subsection 8-8-7B of this code, subsection 12-2-3F4 of this title and subsection 12-3-3C of this chapter. (2001 Code § 89-6-1107; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 11-08, 3-23-2011; Ord. 14-____, 08-27-2014)

12-3-3: EXCEPTIONS AND QUALIFICATIONS FOR SPECIFIC SIGN TYPES:

- A. A-Frame Signs: The use of A-frame signs is limited to areas of high volume pedestrian traffic and is limited to normal business hours. A-frame signs shall be stored indoors at all other times. A-frame signs shall not be used outdoors when high wind or heavy snow conditions exist.

B. Awning Signs: Awning signs may be displayed, if striping of not more than one color (including black and white) is used, and the background shall not be considered design space. Awnings placed on canopies or marquees are exempted from the twenty five percent (25%) limitation specified in section 12-3-2 of this chapter, but shall not exceed five feet (5') in height.

C. Bus Bench Signs And Bus Shelter Signs²:

1. Placement: Only one double sided sign is permitted in a bus shelter. This sign shall be placed inside the shelter and shall be securely attached to the opposite wall of the shelter that faces oncoming traffic.

2. On Benches Prohibited: Signs shall not be placed on benches located inside bus shelters.

3. Insurance: For any bus bench or bus shelter sign, the company or person responsible for the bus bench or shelter sign shall enter into an agreement with the city, which must be approved by the city attorney. This agreement will require, among other things, that the company or person responsible for the bus bench or bus shelter sign provide to the city proof of liability insurance in the minimum amount of one million dollars (\$1,000,000.00), name the city as an additional insured, and indemnify and hold harmless the city from any and all injuries and defense costs arising from the placement or use of the bus bench or bus shelter sign.

4. Sign Permit Required: A sign permit shall be required for each bus bench sign and bus shelter sign, and all applications for a sign permit must include the following:

a. Written approval from the property owner of the proposed location for the bus bench/shelter sign is required and shall be submitted with the sign permit application. This approval shall be required whether the bench or shelter is to be located on private property or within an adjacent street right of way;

b. A letter of approval from the Utah transit authority;

c. A fee, in an amount established by resolution of the city council. The permit shall be valid for one calendar year. A change in the text of the sign on the bus bench/shelter sign or a substitution of benches shall not require the issuance of a new permit or the payment of an additional fee, if the bench/shelter is placed in the same location as originally permitted;

d. A signed contract with the city for each bus bench or bus shelter sign located on public property; and

e. Include a site plan, vicinity map and specifications for bus bench and shelters, as well as any improvements needed for the particular site.

5. Approval: Once an applicant has obtained approval for the location of the bus bench/shelter sign, the approval shall continue as long as the permit is maintained or until the property owner withdraws the approval in writing.

D. Billboard Signs:

1. Compliance With Law: Unless expressly provided otherwise, the erection, construction, reconstruction, location, relocation, placement, replacement, restoration, extension, enlargement, alteration, modification, upgrade, repair and maintenance of a billboard must comply with this title, title 13 of this code, and applicable state law.
2. Location: Billboard signs shall only be located on lots or parcels adjacent to streets that are adjacent to arterial streets as identified on the future roadway network map in the West Jordan master transportation plan, including Airport Road, Old Bingham Highway, New Bingham Highway and Bangerter Highway. Billboards shall not be allowed along the Mountain View Corridor.
3. Density: A billboard shall be considered a sign for the purpose of density on lots or parcels of land that qualify for a sign, except that if the billboard was located on the lot pursuant to a bona fide lease agreement with a third party prior to the installation of the pole sign, the billboard may remain upon the lot as a nonconforming billboard.
4. Residential, Mixed Use (Residential, Commercial, Office), Or Mixed Use Overlay Zone Prohibition: A billboard shall not be located within a residential zone or within a two hundred fifty foot (250') radius from a residential zone, except billboard signs along Bangerter Highway which shall not be located within a one hundred fifty foot (150') radius of a residential zone. A billboard sign (digital display) shall not be located closer than three hundred feet (300') from any residential zoning district boundary and shall not be located closer than five hundred feet (500') from any residential zoning district boundary if the billboard faces a residential area as determined through the Conditional Use Permit review process. A billboard sign shall not be located within any mixed use or mixed use overlay zone, regardless of the underlying zoning classification. The minimum separation between billboard signs (digital display) and any other billboard sign shall be one thousand, twelve hundred and fifty feet (1250'). The separation distance may be reduced where the Planning Commission finds that there are extenuating circumstances that justify a reduction in the separation requirement such as reducing the negative effects of ambient lighting or visual impacts on adjoining uses or mitigating safety concerns. In no case shall the minimum separation between billboards be less than seven hundred-fifty feet (750').
5. Numerical Limit: The sum total of all conforming and nonconforming billboards in the city shall not exceed fourteen (14). Up to seven (7) of the fourteen (14) total billboards shall be located to the east of Bangerter Highway and up to seven (7) shall be located to the west of Bangerter Highway. Signs on lots or parcels directly adjacent to either side of Bangerter Highway can be counted toward the limit of seven (7) for either side of Bangerter Highway.
6. Expiration And Revocation:
 - a. The standards and requirements for revoking a conditional use permit set forth in section 13-7E-10 of this code shall not apply to this section. Whether conforming or nonconforming, a billboard and associated rights shall be terminated only pursuant to the provisions of this section and applicable state law.

b. If a billboard is conforming, any time after five (5) years from the date the billboard was approved, the planning commission may reevaluate the conditional use for the billboard to determine if conditions under which the permit was issued have changed and necessitates the revocation of the permit. Conditions shall be deemed to have changed if any of the following has occurred:

- (1) The owner of the billboard has failed to keep the lot where the billboard is located free of weeds and litter;
- (2) The owner of the billboard has failed to maintain the billboard in a safe condition, including, but not limited to, maintaining the billboard's borders, trims, faces, and its weight bearing and bracing structures; or
- (3) Conditions included with the approval of the conditional use permit are not being met.

7. Repair, Rebuild, Restore, Modification:

a. A billboard owner may rebuild, maintain, repair or restore a billboard structure if it is damaged by casualty, an act of God, or vandalized.

b. (1) A billboard owner may rebuild or take other measures to correct a mistake in the placement or erection of a billboard for which the city has previously issued a permit, if the proposed rebuilding or other measure is consistent with the intent of the permit.

(2) The city may deny a billboard owner's request to rebuild a billboard or take other measures to correct a mistake in the placement or erection of the billboard if the mistake resulted from an intentionally false or misleading statement by the billboard owner in the application regarding the placement or erection of the billboard.

c. A nonconforming billboard shall not be rebuilt or replaced by anyone other than the billboard owner.

d. A billboard owner may structurally modify or upgrade a billboard. If a billboard owner structurally modifies or upgrades a billboard, the billboard owner:

(1) May erect the billboard:

(A) To a height that is at least the same as, but no higher than, the previous use or structure, unless the city ordinances allow or the city consents to a higher structure; and

(B) To a height and angle to make it clearly visible to traffic on the main traveled way of the street or highway on which the billboard is located; and

(2) May install a sign face on the billboard that is at least the same size as, but no larger than, the sign face on the billboard before its relocation; and

(3) Shall comply with the Utah outdoor advertising act, Utah Code Annotated title 72, chapter 7, part 5, to the extent applicable.

8. Relocation:

a. Correcting Mistakes:

(1) A billboard owner may relocate a billboard to correct a mistake in the placement or erection of the billboard for which the city has previously issued a permit, if the relocation is consistent with the intent of the permit.

(2) The city may deny a billboard owner's request to relocate a billboard to correct a mistake in the placement or erection of the billboard if the mistake resulted from an intentionally false or misleading statement by the billboard owner in the application regarding the placement or erection of the billboard.

b. Relocation To Commercial, Industrial Or Manufacturing Zones:

(1) A billboard owner may relocate a billboard into any commercial, industrial or manufacturing zone within the city boundaries, if the relocated billboard is:

(A) Within two thousand six hundred forty feet (2,640') of its previous location;

(B) No closer than five hundred feet (500') from an off premises sign existing on the same side of the street or highway; and

(C) The city and the billboard owner agree on a location that is mutually acceptable.

(2) If a billboard owner relocates a billboard under this subsection, the billboard owner:

(A) May erect the billboard:

(i) To a height that is at least the same as, but no higher than, the previous use or structure, unless the city ordinances allow or the city consents to a higher structure; and

(ii) To a height and angle to make it clearly visible to traffic on the main traveled way of the street or highway on which the billboard is located; and

(B) May install a sign face on the billboard that is at least the same size as, but no larger than, the sign face on the billboard before its relocation; and

(C) Shall comply with the Utah outdoor advertising act, Utah Code Annotated title 72, chapter 7, part 5, to the extent applicable.

9. Eminent Domain: The city shall be considered to have initiated the acquisition of a billboard structure by eminent domain if the city prevents a billboard owner from:

a. Rebuilding, maintaining, repairing or restoring a billboard structure that is damaged by casualty, an act of God, or vandalism;

b. Relocating, rebuilding, or taking other measures to correct a mistake in the placement or erection of a billboard for which the city has previously issued a permit, if the proposed relocation, rebuilding or other measure is consistent with the intent of the permit;

c. Structurally modifying or upgrading a billboard; or

d. Relocating a billboard into any commercial, industrial or manufacturing zone within the city boundaries, if the relocated billboard is:

(1) Within two thousand six hundred forty feet (2,640') of its previous location;

(2) No closer than five hundred feet (500') from an off premises sign existing on the same side of the street or highway; and

(3) The city and the billboard owner cannot agree to a mutually acceptable location within sixty (60) days after the billboard owner submits a written request to relocate the billboard.

10. Termination/Removal:

a. The city may terminate a billboard and associated property rights pursuant to Utah Code Annotated section 10-9a-512, or its successor.

b. Notwithstanding subsection D10a of this section, the city may remove any billboard without compensating the billboard owner if:

(1) The development department or its designee determines:

(A) By clear and convincing evidence that the billboard owner intentionally made a false or misleading statement in the billboard owner's permit application regarding the placement or erection of the billboard; or

(B) By substantial evidence that the billboard:

(i) Is structurally unsafe;

(ii) Is in an unreasonable state of repair; or

(iii) Has been abandoned for at least twelve (12) months; and

(2) The city notifies the billboard owner in writing that:

(A) The billboard meets one or more of the conditions listed in subsection D10b(1) of this section;

(B) Upon written request, the billboard owner is entitled to a hearing as set forth in subsection D11 of this section to explain why the billboard shall not be removed;

(C) The billboard owner shall remedy the condition or conditions within the time period set forth in subsection D10b(3) of this section; and

(3) The billboard owner fails to remedy the condition or conditions within:

(A) Ninety (90) calendar days after receipt of the city's written notice, unless the city's intent to remove is because the billboard is structurally unsafe; or

(B) If the billboard is structurally unsafe, ten (10) business days after receipt of the city's written notice or a longer period if necessary because of a natural disaster; and

(4) Upon hearing or an opportunity for a hearing as provided in subsection D11 of this section it is found:

(A) By clear and convincing evidence that the billboard owner intentionally made a false or misleading statement in the billboard owner's permit application regarding the placement or erection of the billboard; or

(B) By substantial evidence that the billboard:

(i) Is structurally unsafe;

(ii) Is in an unreasonable state of repair; or

(iii) Has been abandoned for at least twelve (12) months.

11. Hearing:

a. Within five (5) calendar days after receipt of the notice required by subsection D10b(2) of this section, the billboard owner shall request in writing a hearing to explain why the billboard should not be removed.

b. If no hearing is requested within the time provided in subsection D11a of this section, the city's findings under subsection D10b(4) of this section shall be deemed established, and the city shall be entitled to remove the billboard.

c. If a hearing is requested, the city shall schedule a hearing within five (5) calendar days after receiving the written request.

d. The billboard owner shall have the burden of proving why the billboard should not be removed.

e. The city shall not remove the billboard if none of the conditions in subsection D10b(4) of this section have been met.

12. Hearing Board: The city manager shall hear and decide all issues regarding the removal of billboards in accordance with subsections D10b and D11 of this section or, alternatively, may appoint one or more persons to hear such matters, with the advice and consent of the city council. Whether as an individual or when constituted of more than one person, the person or persons designated shall be designated as the hearing board.

13. Billboard Signs (Digital Display): In addition to subsections D.1-13 of this section, all billboard signs (digital display) shall meet the following standards unless contrary to the provisions of applicable state or federal law:

a. New billboard signs (digital display) are limited to a "double sided" configuration (i.e. one sign face or display area mounted on opposite sides of the same support structure so that both sign faces are at the same elevation and are effectively not visible at the same time from any vantage point as reasonably determined by the city).

b. A billboard sign that is converted to a billboard sign (digital display) shall not be larger or taller in height, width or display area than the sign from which it was converted. The Planning Commission may increase the height of the sign to the maximum allowed under section 12-3-2 where the Planning Commission finds that safety is a concern. A single-faced sign may not be converted to a double faced sign.

c. Each electronic display area capable of showing a separate electronic message shall be considered to be a separate billboard with an electronic digital display including those sharing the same support structure.

d. The text, images and graphics on a billboard sign (digital display) shall be static and complete within themselves, without continuation in content to the next image or message or to any other sign. Serial messages that require multiple passes or multiple signs to comprehend the message are prohibited.

e. All text and images must be of a size and shape to not cause drivers to reduce speed or become unreasonably distracted in order to comprehend the message. The City's focus under this subsection shall be the method (in terms of letter size and other quantifiable physical attributes) used to convey a message on a billboard sign (digital display) rather than the content of such message.

f. A billboard sign (digital display) shall not include animation, full motion video, flashing, scrolling, strobing, racing, blinking, changes in color, fade in or fade out or any other imitation of movement or motion, or any other means not providing constant illumination.

g. The transition from one static display to another must be effectively instantaneous, with a twirl time not exceeding .25 second.

h. Every billboard sign (digital display) shall be equipped with a mechanism that automatically controls the sign's display period at all times as provided in this section. The dwell time for each message on a billboard sign (digital display) shall be at least eight seconds, such that each message shall be illuminated and static for at least eight seconds before transitioning to a new static display.

i. A billboard sign (digital display) shall comply with the following illuminance requirements:

(1) No billboard sign (digital display) shall cause illuminance in excess of three-tenths (0.3) foot candle above ambient light as measured perpendicular to the billboard at a distance in feet calculated as follows:

(A) The square root of the product of 100 multiplied by the sign face area () (in square feet).

$$\sqrt{a \cdot 100}$$

For example, if the billboard sign (digital display)'s electronic sign face measures 10' x 30' (300 square feet), then the illuminance caused by such use could not exceed three-tenths (0.3) foot candle above ambient light at a perpendicular distance of 173 feet from the billboard sign (digital display) sign face.

$$\sqrt{300 \cdot 100} = 173$$

j. Every billboard sign (digital display) shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's illuminance as provided above in direct correlation with natural ambient light conditions at all times.

k. A billboard sign (digital display) may not be illuminated, lit or operated between 10:00 p.m. and 7:00 a.m. if it is oriented towards and located within 300 feet of any property zoned or occupied for a residential use unless the message is an emergency public safety warning or alert, such as an "Amber Alert."

l. The following certifications are additional conditions of approval or continuation of any billboard sign (digital display):

(1) Within ten calendar days after a billboard sign (digital display) is first placed into service, a written certification shall be submitted to the city from the owner/applicant that the sign has been tested and complies with the motion, dwell time, twirl time, illuminance and other requirements of this section.

(2) Based on complaints received, or for other reasonable cause, the city may from time to time require the owner or operator of a billboard sign (digital display) to provide, within ten calendar days after receipt of

the city's written request, an updated written certification that the sign has been re-tested and has been repaired or modified, as necessary, to comply with the requirements of this section.

(3) The city also may, at its option, from time to time verify a billboard sign (digital display)'s compliance with the requirements of this section, including by selecting and engaging qualified experts to measure the sign's illuminance and indirect illuminance. If the city reasonably determines that a billboard sign (digital display) is not in compliance with such requirements, then the owner or operator of the sign shall correct the noncompliance within ten calendar days after written notice from the city, and shall reimburse all of the city's costs reasonably incurred in connection with such determination.

m. Any billboard sign (digital display) not conforming to the requirements of this section is prohibited.

E. Directional Signs:

1. Off premises private directional signs are permissible only in cases where, due to its unusual location, a business is not easily seen from or is not located near a street.

2. Private directional signs shall contain only the name or logo of an establishment or directions such as "parking", "drive-through" or "exit".

F. Freeway Oriented Signs: Freeway oriented signs shall only be approved in conjunction with an overall sign plan for a regional shopping center.

G. Historic Monuments And Markers: Historic monuments and markers shall be constructed of masonry or noncorrodible metal materials, or other materials as approved by the planning commission.

H. Home Occupation Signs³: Advertising signs shall be limited to one unanimated, nonilluminated wall sign for each dwelling. The sign shall be placed either in a window or on the exterior wall on the front of the dwelling and shall not have an area greater than two (2) square feet. Minimal mailbox identification is permitted.

I. Inflated Sign Displays:

1. Display Period: Inflated signs may be displayed for no longer than fourteen (14) consecutive days per calendar quarter, and no longer than thirty (30) days during a grand opening.

2. Safety: Inflated signs shall be placed upon and securely tethered to the ground and shall be located in a manner that it shall not obstruct the use of public rights of way or otherwise constitute a safety hazard. Flammable gases shall not be utilized for inflated signs.

J. Monument Signs:

1. Height: The height of a monument sign may vary depending on the grading of landscaping upon which the sign is located. However, the combined height of the sign plus any landscape berming shall not exceed eight feet (8') above the elevation of the nearest sidewalk. The entire frontage of the site which the sign serves, not just the sign location, must have berming incorporated into the landscape design.

2. Construction: Monument signs in A, BR-P, P-O, M-P and P-F zones shall be constructed of brick or masonry materials which match the buildings identified by the monument sign, and shall be designed to be harmonious with the building architecture.

3. Copy Content: Copy of individual monument signs in A, BR-P, P-O, M-P and P-F zones shall consist only of the name and address of the occupant. Additional information may be displayed in an electronic message sign or changeable copy sign.

K. Off Premises Development Signs:

1. Sign Density Interpretation: The density standard of one sign per one hundred (100) residential units shall mean the following: One sign is allowed for a development with up to one hundred (100) residential units; an additional sign is allowed for a development with between one hundred one (101) and two hundred (200) residential units; a third sign is allowed for a development with between two hundred one (201) and three hundred (300) residential units, and so forth.

2. Illumination: Off premises construction or development signs shall not be illuminated.

L. Kiosk Signs:

1. Limited Purposes: Sign panels on kiosks may be permitted for the purpose of providing directional information to community facilities, homebuilders, residential developments under construction and multi-family homebuilders, developments and for those subdivisions, planned residential developments and multi-family developments having final recordation.

2. Location:

a. Kiosks shall be located only on private property;

b. Kiosks shall not be located in clear vision areas at intersections or driveways and shall not obstruct sidewalks, roadways or other locations where the signs may pose a hazard to motorists or pedestrians; and

c. Kiosks proposed on property adjacent to state roads shall comply with all applicable state provisions governing the location and site development standards for such advertising.

3. Construction And Materials:

a. Kiosks and sign panels shall be constructed of metal, fiberglass or rigid plastic/vinyl materials;

- b. Each kiosk frame shall be constructed of steel;
 - c. The individual kiosk signs shall not exceed one foot (1') in height and four feet (4') in width;
 - d. Kiosks shall not exceed twelve feet (12') in height and four feet six inches (4'6") in width;
 - e. The minimum and maximum number of sign panels on each side of the kiosk shall be at least two (2), but no more than seven (7) signs;
 - f. Kiosks shall be securely fastened to the ground;
 - g. Upon removal of a kiosk, the site shall be restored to its prior condition or better;
 - h. The header of the kiosks shall be painted with the city logo and all surfaces of the sign and lettering shall be in colors approved by the city planner or his/her assignee;
 - i. Changeable copy, internal illumination, ground mounted lights, overhead lights, exposed neon, pan channel letters, cabinet and painted signs are prohibited; and
 - j. All street improvements for the property on which the kiosk is located shall be completed, including all curbs, gutters and sidewalks.
- M. Pole Signs: Notwithstanding the density standards for pole signs listed in section 12-3-2 of this chapter, the owner or lessee of a pad site contained within a nonresidential development for which a sign development plan has been approved, shall not be permitted to have a pole sign upon the pad site solely by reason of the frontage, unless the pole sign was approved as part of the sign development plan. Pole signs shall be located as close to the midpoint of a lot or development as possible.
- N. Temporary Signs:
- 1. All temporary signs shall be securely attached to a building or to the ground.
 - 2. There shall be no specific spacing requirement between freestanding temporary signs and other temporary or permanent signs. However, signs shall be placed as far apart as possible in order to provide equal visibility for all signs. Signs shall not be placed so as to block the view of or obscure another sign.
 - 3. Except for the signs permitted by subsection P of this section, no sign shall be located within a street right of way or within clear vision areas at intersections of streets or intersections of streets and driveways.
- O. Promotional Signs:
- 1. Portable Signs Not Included: Promotional signs do not include portable signs.
 - 2. Display Period: A temporary sign permit may be issued for promotional signage and is valid for a period not to exceed thirty (30) consecutive calendar days. However, no such permit may be issued for the same property or business more than four (4) times

during any calendar year or for longer than sixty (60) consecutive days within the first year of a business's grand opening. A minimum of fourteen (14) days shall elapse between each display period.

3. Searchlights: Searchlights shall be directed upward at an angle of at least forty five degrees (45°) and operated only between dusk and eleven fifty nine o'clock (11:59) P.M.

4. Promotional Signs In P-O Zones: The use of a promotional sign in P-O zones shall be limited to one promotional sign at any given time regardless of the number of businesses occupying the building on the individual parcel.

P. Use Of Temporary Signs During Periods Of Major Street Construction:

1. During times of major street construction along arterial and collector roads, temporary, portable signs may be placed in the public right of way to mark points of ingress and egress. Such signs may include the messages "Business Access Only" or "Open For Business". The temporary sign may also include an arrow directing patrons to a specific driveway or alternate entrance and/or the name or logo of the business.

2. The maximum display period for temporary signs used during periods of major street construction shall be for a period not to exceed sixty (60) days beyond substantial completion of construction. The starting date for display of a temporary sign shall correlate with the commencement date of major street construction.

3. Businesses may qualify for these exceptions if the said business is:

- a. Materially impacted by major street construction.
- b. Located on an arterial or collector right of way.
- c. Located within a half mile radius of the boundary (limits) of street construction.

4. A temporary sign displayed during periods of major street construction shall not obstruct the use of a public right of way, impede regular street construction work, obstruct a clear vision area of a street intersection, and/or create a direct or indirect safety hazard to pedestrians or vehicles.

5. The maximum number of temporary signs used during periods of major street construction shall be limited to one temporary double sided sign per business.

6. The size, height, density and spacing of a temporary sign used during periods of major street construction shall be the same as directional signs, section 12-3-2 of this chapter. The location of such a sign shall not extend beyond the frontage of the property that is affected by construction or beyond the nearest accessible driveway.

7. All signs shall be securely anchored to the ground.

The boundary and scope of impact will be approved by city council after a recommendation from city staff.

Q. Wall Signs In BR-P, P-O Zones: Wall signs in BR-P and P-O zones shall consist only of the name of the occupant of the building.

R. Neighborhood Entryway Signs:

1. Subdivisions or planned residential developments of less than five (5) acres with final approval may not utilize a "neighborhood entryway sign", as defined in section 12-1-4 of this title, but may utilize one monument sign per entrance.

2. Subdivisions or planned residential developments of five (5) or more acres with final approval may utilize "neighborhood entryway signs", as defined in section 12-1-4 of this title, or monument signs. However, the use of neighborhood entry signs shall prohibit the use of monument signs, and the use of monument signs shall prohibit the use of neighborhood entry signs.

3. If neighborhood entryway signs are utilized, the maximum number of signs on each side of an entry point shall be one sign.

4. If monument signs are utilized, the maximum number of signs on each side of an entry point shall be one single sided monument sign. A double sided monument sign is permitted on only one side of the entrance or in a center median.

5. All neighborhood entryway and monument signs shall be architecturally compatible with on site signs, structures and streetscape walls.

6. All planned residential developments shall incorporate landscaping into the signage and obtain planning commission approval of it in the planned residential development plan approved by the planning commission.

7. Changeable copy, internal illumination, exposed neon, pan channel letters, cabinet and painted signs are prohibited.

S. Changeable Copy Signs In P-O Zones: Changeable copy signs will only be allowed to be placed in monument or pole signs within the P-O zone district.

T. Planned Center Signage: Planned Center Signs shall be applied to projects serving a variety of facilities and uses where the buildings are distributed in a contiguous campus, regional business center, research park, or large planned development type of setting. The purpose of this type of signage is to advertise businesses along major rights-of-way in a campus type of setting, where due to the scale of uses on several properties, larger on-campus signage is warranted and necessary.

1. Location: The placement and location of a Planned Center Sign is subject to review by the Zoning Administrator through an Administrative Conditional Use Permit process. The intent is to allow for such a sign or sign(s) to direct people and traffic to a large campus or regional business center. It is considered an on-premise sign. The Planned Center sign is common to all properties in the campus and may be located on any lot or common area within the campus. The intent is to allow signage that displays only those businesses and facilities located within the campus or business or center. (2001 Code §§ 89-6-502, 89-6-1108; amd. 2009 Code; Ord. 11-10, 4-6-2011; Ord. 12-07, 4-4-2012; Ord. 13-17, 4-24-2013; Ord. 14-22, 06-11-2014; Ord. 14-____, 08-27-2014)

Section 3. Title 13, Chapter 17, Section 2 of the 2009 City Code shall hereafter read as follows:

13-17-2: TYPES OF SIGNS PERMITTED IN ZONING DISTRICTS:

The following table lists the sign types that are allowed in each zoning district. Signs identified as "permitted" (P) are allowed by right. Signs identified as "conditional" (C) must be approved by the planning commission pursuant to the standards and procedures for conditional uses set forth in chapter 7, article E of this title. All permitted and conditional use signs shall comply with all applicable requirements of this title and title 12 of this code. Blank spaces in the table indicate that a particular sign is not allowed in the zone.

[illegible]

[illegible]

Suspended								A C			P	P	P	P	P				
Temporary promotiona l			P					P	P ²		P	P	P	P	P	P	P		
Village center advertisem ent sign								A C ³	A C ³										
Wall	A C							P	P	P	P	P	P	P	P	P	P	P	P

Notes:

1. See section 12-3-4 of this code for sign regulations in the city center (CC) and west side planning area (WSPA) zones. See section 12-3-5 of this code for sign regulations in the transit station overlay district (TSOD).
2. See section 12-3-3 of this code for exceptions/qualifications.
3. Village center advertisement signs may be approved by the planning commission and city council through the development plan process, and through the site plan process. Following completion of the plan and plat approval processes, any new or replacement village center advertisement signs shall be subject to administrative conditional permit application and approval. (2001 Code § 89-6-1106; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 13-04, 2-27-2013; Ord. 14-22, 06-11-2014; Ord. 14-____, 08-27-2014)

Section 4. Additions or amendments to the 2009 City Code when passed in such form as to indicate the intention of the city council to make the same a part of the 2009 City Code shall be deemed to be incorporated in the 2009 City Code, so that reference to the 2009 City Code hereafter includes the additions and amendments.

Section 5. This Ordinance shall become immediately effective.

Passed and adopted by the City Council of the City of West Jordan, Utah this 27th day of August, 2014.

CITY OF WEST JORDAN

By: _____
KIM V. ROLFE
Mayor

ATTEST:

MELANIE S. BRIGGS, MMC
City Clerk

Voting by the City Council

"AYE"

"NAY"

Jeff Haaga
Judy Hansen
Chris McConnehey
Chad Nichols
Ben Southworth
Justin D. Stoker
Mayor Kim V. Rolfe

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2014, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
City Clerk/Recorder

[SEAL]

Legislative

12-1-4: DEFINITIONS:

In this title, the terms, phrases, words and their derivatives shall have the meaning as stated and defined in this title, unless the context indicates a contrary meaning. Terms defined in title 14 of this code, the city subdivision ordinance, and title 13 of this code, the city zoning ordinance, shall have the same meaning when used in this title.

A-FRAME SIGN: A freestanding, permanently permitted portable sign usually constructed of two (2) separate sign faces attached at the top.

ABANDONED SIGN: A sign that is left on property for a period of time in excess of forty five (45) calendar days after the business or use that it advertises has moved to another location or ceased doing business.

ANIMATED SIGN: A sign with parts or sections having physical movement or revolution up or down, around, or sideways that changes at intervals of less than 60 seconds, but not including time and temperature signs or electronic message centers.

AWNING SIGN: A sign constructed of a framework that is mounted to a building or canopy. The framework is usually covered with a light fabric that may be translucent. The awning cover may contain advertising or identifying copy, graphics or design and may be backlighted. Awnings used strictly as protective structures for windows and doors and having no sign copy or design are not signs and may display the building address only.

BACKLIGHTED SIGN: A sign with the light source positioned inside or behind the sign face, such as behind raised letters and awnings or inside sign cabinets, the lighting source of which is not itself visible to the observer.

BANNER: Any cloth, bunting, plastic, paper or similar material used for temporary advertising which is attached to or appended from a building.

BENCH SIGN: A sign that is applied to the back of a bench located at a bus stop designated by the Utah transit authority.

BILLBOARD OWNER: The owner of a billboard in the city of West Jordan.

BILLBOARD SIGN: A billboard sign (digital display) and/or a billboard sign (non digital display) as the context may require.

BILLBOARD SIGN (Digital Display): A freestanding ground sign with a changing digitally created and electronically controlled message face designed or intended to direct attention to a maximum of six (6) businesses, products or services, during any five consecutive minutes of image change, which products or services are not sold, offered or existing on the property where the billboard is located. A billboard sign shall have no more than two (2) message display faces,

which must be back to back. Billboard sign structures with two (2) or more faces side by side, or one on top of the other, are prohibited.

BILLBOARD SIGN (Non Digital Display): A freestanding ground sign designed or intended to direct attention to a maximum of two (2) businesses, products or services that are not sold, offered or existing on the property where the billboard is located. A billboard sign shall have no more than two (2) message display faces, which must be back to back. Billboard sign structures with two (2) or more faces side by side, or one on top of the other, are prohibited.

CHANGEABLE COPY SIGN: A sign, other than a billboard sign, on which the text or copy is changed manually or electronically.

CLEAR VISION ZONE: Corner areas at intersecting streets and driveways in which unobstructed vision of motor vehicle operators is maintained and which are subject to the limitations set forth in section 13-8-4 of this code.

CONFORMING SIGN: A sign that meets all provisions of this title.

CONSTRUCTION SIGN: A sign, on premises or off premises, which directs to, identifies or describes the development or construction of, a use, building or buildings which are planned or currently under way, located within the city boundaries.

CONVERT: "*Converted*" and "*conversion*" refers to any billboard sign face that is changed from its existing, non-digital or non-electronic display to an electronic display sign. Any existing billboard sign (non digital display) that is remodeled, repaired, or maintained in such a way as to become a billboard sign (digital display), in whole or in part, shall be considered a conversion to a billboard sign (digital display).

COPY: The wording on the display surface of a sign.

DIRECTIONAL SIGN: A sign limited to directional messages such as one way, entrance and exit, and have no advertising copy.

DIRECTORY SIGN: A variation of a monument or wall sign on which the names and locations of occupants or the use of a building or property are identified, but which does not include any advertising message.

DWELL TIME: The time that text, images and graphics on a billboard with an digital display remains static before changing to a different text, images or graphics on a subsequent sign face.

ELECTRONIC MESSAGE SIGN: A display consisting of an array of light sources, panels or disks that are electronically activated.

EXTENDING SIGN: A sign that projects more than twenty four inches (24") from a wall.

FREESTANDING SIGN: A sign that is self-supported by poles, pylons or other structural supports mounted in the ground.

FREEWAY ORIENTED SIGN: An on premises sign located on a regional commercial SC-3 site which is adjacent to a limited access highway or freeway.

ILLEGAL SIGN: Any sign that violates any of the city of West Jordan ordinances, or is determined to not be a conforming sign.

ILLUMINANCE: The amount of light falling on an object or the measurement of such light.

ILLUMINATED OR LIGHTED SIGN: A sign equipped with artificial lighting devices for the purpose of improving the sign's visibility.

ILLUMINATION: *Illumination* or "*illuminated*" means a source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on and in the immediate vicinity of the sign.

INDIRECT ILLUMINATION: A light source not seen directly.

INFLATED SIGN: Any advertising device that is supported by heated or forced air or lighter than air gases.

KIOSK SIGN: A structure with four (4) sides or less upon which a subdivision, planned residential development, homebuilder, multi-family development or public service sign panel may be mounted.

LOW MAINTENANCE SIGN: A sign composed of sign materials that do not require frequent replacement, painting or refurbishing as a result of exposure to the elements.

MAINTENANCE: To repair, refurbish, repaint or otherwise keep an existing billboard and its structure safe and in a state suitable for use, including signs destroyed or damaged by vandalism, an act of God, or casualty.

MAJOR PYLON SIGN: A freestanding sign, not more than twenty five feet (25') in height, supported by a single column having a width that is twenty five percent (25%) or more of the width of the sign.

MAJOR STREET CONSTRUCTION: The repair or reconstruction of a street where access to adjacent properties is restricted for more than seven (7) consecutive days.

MINOR PYLON SIGN: A freestanding sign, not more than twelve feet (12') in height, which is supported by a single column having a width that is twenty five percent (25%) or more of the width of the sign.

MONUMENT SIGN: A freestanding identification, advertising or business sign which is supported by a pole or base having a combined width greater than two feet (2') which is mounted permanently in the ground.

NAMEPLATE SIGN: A wall sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises, or indicating a home occupation legally existing on the premises.

NEIGHBORHOOD ENTRYWAY SIGN: A permanent sign used to identify the main entrance of a neighborhood located on collector and arterial streets, which is incorporated into an approved wall or fence.

NONCOMMERCIAL SIGN: Any sign that does not do any of the following:

- A. Advertise or promote, directly or indirectly, a product or service for profit or for a business purpose; or
- B. Directly or indirectly propose a commercial transaction.

OFF PREMISES SIGN: A sign indicating the availability of goods or services at a location other than the location of the sign.

ON PREMISES SIGN: A sign located on the property that it serves.

PEDESTAL SIGN: A portable sign supported by a column or columns and a base.

PLANNED-CENTER SIGN: A large freestanding sign designed or intended to direct attention to a variety of facilities or uses on properties containing two (2) or more lots or buildings and situated in a contiguous campus or business-style environment. All Planned Center Signs shall be supported by a pole or poles and mounted permanently to the ground by a brick or stone base not less than 2-feet in height.

POLE SIGN: A freestanding sign which is supported by a pole or poles mounted permanently to the ground.

PORTABLE READER SIGN: A reader sign that is mounted on a portable framework and intended for temporary use.

PORTABLE SIGN: Any sign which is prominently displayed to identify, advertise, direct or promote any person, product, company, entity or service, and which is movable in nature such as A-frames, pedestal, signs on vehicles, banners attached to freestanding poles, or similar signs which are not permanently installed in the ground.

PROJECTING SIGN: A sign that is attached to and projects from a building, pole or other support.

PROMOTIONAL SIGN: A temporary device such as banners, streamers, flags, balloons, pennants, searchlights and inflated signs.

READER SIGN: A changeable copy display that allows for the manual or electrical changing of the copy or text.

ROOF SIGN: A sign which is supported wholly or in part by and which projects over a roof.

SCULPTURED SIGN: A freeform or three-dimensional sign that has a depth greater than two feet (2').

SIGN: Materials placed or constructed, or light projected, that: a) conveys a message or image; and b) is used to inform or attract the attention of the public. Some examples of "signs" are materials or lights meeting the definition of the preceding sentence and which are commonly referred to as signs, placards, A-boards, posters, billboards, murals, diagrams, banners, flags or projected slides, images or holograms, and also includes the structure, supports, lighting system

attachments and other features of the "sign". The scope of the term "sign" does not depend on the content of the message or image conveyed.

SIGN ALTERATION: The changing or rearranging of any structural part, sign face, enclosure, lighting, coloring, copy (except on reader signs), graphics, component, or location of a sign.

SIGN AREA: The portion of a sign used for display purposes, excluding the frame and supports. Only one side of a double faced sign (covering the same subject) shall be used for computing the sign area when the signs are parallel (no greater than 2 feet apart) or diverge from a common edge by an angle not greater than thirty degrees (30°). For signs that do not have defined display areas, "sign area" shall be the area of the smallest rectangle or square that will frame the display.

SIGN CLEARANCE: The height of the lower edge of the face of a freestanding sign from the finished grade.

SIGN DENSITY: The concentration of signs in a given area, frontage, district or lot. "Density", as used in this title, will usually be defined in terms of numbers of signs per lot or frontage.

SIGN DESIGN: The form, features, colors and overall appearance of a sign structure.

SIGN DEVELOPMENT PLAN: A comprehensive plan for all signs proposed for a development, and may include a combination of site plans, architectural elevations and written specifications which illustrate and describe proposed location, height, design, colors and materials for such signs.

SIGN HEIGHT: The height of a sign measured from the elevation of the nearest sidewalk or, if there is no sidewalk, from the nearest curb or, if there is no curb, from the elevation of the nearest street paving surface.

SIGN LOCATION: The position on a property where a sign is to be placed.

SIGN SEPARATION: The horizontal distance between signs measured parallel with the street or curb.

SIGN SETBACK: The horizontal distance between the property line (front or side) and the closest edge of the sign structure.

SNIPE SIGN: A sign for which a permit has not been obtained which is attached to a public utility pole, service pole, supports for another sign, fences, trees, etc.

STRUCTURAL MODIFICATION: Any change other than incidental repairs that would prolong the life of the supporting members of the sign.

STRUCTURALLY MODIFY: As to a billboard sign, does not mean to convert the billboard sign.

SUSPENDED SIGN: A sign that overhangs a pedestrian walkway beneath a canopy, eave or awning.

TEMPORARY SIGN: Any sign intended to be displayed for a definite period of time. Examples of temporary signs include, but are not limited to, most noncommercial signs, A-frame signs, balloons, banners, garage/yard sale signs, real estate signs, or special event signs.

TWIRL TIME: The time that it takes for static text, images and graphics on a billboard with an digital display to change to a different text, images or graphics on a subsequent sign face.

UPGRADE: As to a billboard sign, does not mean to convert a billboard sign (non digital display) to a billboard sign (digital display).

VEHICLE SIGN: A sign or advertising device that is attached to, painted on, placed upon, or supported by any truck, trailer, boat, other vehicle or portable structure conspicuously or regularly parked on or off premises expressly to attract attention to a business, product or promotion. This definition does not apply to signs or lettering on public transit vehicles, taxis or company vehicles operating during the normal course of business or parked in a legally designated on site parking space at the location of the company owning the vehicle.

VILLAGE CENTER ADVERTISEMENT SIGN: Pedestrian oriented signage located on a building facade and/or incorporated into the architecture of a building; displaying noncommercial content or advertising businesses, events, and other uses located within the same master planned development or environs.

WALL SIGN: A sign that is painted on or affixed to a building wall and projects less than six inches (6") from the wall. (2001 Code §§ 89-1-203, 89-6-1104; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 12-07, 4-4-2012; Ord. 13-04, 2-27-2013; Ord. 13-17, 4-24-2013; Ord. 14-22, 06-11-2014; Ord. 14-___, 08-27-2014)

12-3-2: SIGN STANDARDS:

Sign Type	Sign Standards				
	Maximum Area	Maximum Height/ Projection/Width	Density	Spacing	Front Setback
A-frame signs ¹	10 sq. ft. per sign face with a maximum of 2 sign faces	Height: 4'	1 per business	75' from any other sign	Signs must be within 20' of the primary entrance to the business
Animated signs	Integrated in the design of another	n/a	n/a	n/a	n/a

	approved sign and not to exceed 25% of the area of such sign				
Awning signs ¹	Sign: 25% of the building facade Copy or design: 50% of the awning area	Height: 5' Projection: 3' or 33% of window height whichever is less	n/a	n/a	Awnings shall not project into any public right of way
Billboards ¹	300 sq. ft.	Height: 35'	See subsection <u>12-3-3D</u> of this chapter for density	Not less than 500' from any other billboard	10'
Bus bench/shelter signs ^{1,2}	Bench sign: 16 sq. ft. Shelter sign: 22 sq. ft.	Bench sign height: 42" Shelter sign height: 6'	One at each UTA bus stop	500' from any other bench/shelter sign and 50' from any other freestanding sign, except pole signs. There is no required separation between pole signs and bus bench/shelter signs	A minimum distance between the front edge of the bench or shelter and the face of the adjacent curb of 48" on state roads and 24" on city streets
Changeable copy signs ¹	Integrated with another approved	n/a	n/a	n/a	n/a

	sign and not to exceed 30% of the area of such sign				
Directional signs ¹	6 sq. ft.	Height: 6'	See spacing	50' from any other freestanding sign	Public use directional signs may be located within public rights of way Other directional signs: 18"
Directory signs	50 sq. ft.	Height: 10'	1 for each primary entrance into a commercial, industrial or office complex	n/a	10'
Electronic/LED	Integrated with another approved sign up to 50% of sign area	n/a	n/a	n/a	n/a
Freeway oriented signs ¹	950 sq. ft. For master planned developments having 5,000 linear feet or more of frontage on a freeway, not more	Height: 50' For master planned developments having 5,000 linear feet or more of frontage on a freeway, not more than 1 sign may be up to 72' in	See spacing	1 sign for each 1,000' of highway frontage	n/a

	than 1 sign may be up to 1,500 sq. ft., including the area of any shopping center logo	height			
Historical markers ¹	8 sq. ft.	Height: 6'	n/a	n/a	10'
Inflated sign display ¹	n/a	Height: 25'	1 per commercial complex or 1 for each business not located in a commercial complex	200' from any other freestanding sign	In compliance with setbacks of the zone in which the sign is located
Kiosk sign ¹	Overall kiosk sign: 12' x 4'6" Sign panels: 7 (1' x 4')	Height: 12'	n/a	300' from any other kiosk sign; 50' from any other freestanding sign	n/a
Monument signs over 4' in height ¹	50 sq. ft. on sites with less than 250' of street frontage 78 sq. ft. on sites with more than 250' of street frontage The architectural element shall not	Height: All monument signs shall sit on a base no greater than 2' in height. The sign itself shall not exceed 6' in height A domed, gabled or similar shaped architectural element may extend 1' above the	1 for sites having only 1 business For all other sites, as approved on a sign development plan	Not less than 100' from any other freestanding sign	4' except for corner properties and all driveways, where the minimum setback is 15'

	be considered part of the sign area	<p>sign for a cumulative height of 9' and may incorporate a building address but no other copy or logo shall be permitted within this area</p> <p>Width: The total width of the sign shall not exceed 13'</p>			
Monument signs 4' or less in height ¹	<p>20 sq. ft.</p> <p>The architectural element shall not be considered part of the sign area</p>	<p>Height: 4' above grade or 6' above the elevation of the nearest sidewalk, whichever is greater</p> <p>A domed, gabled shaped architectural element may extend 1' above the sign for a maximum height of 7' and may incorporate a building address but no other copy or logo shall be permitted within this area</p>	1 for each agricultural sales or service business	n/a	4' except for corner properties and all driveways, where the minimum setback is 15'
Neighborhood	20 sq. ft.	Height: 4' above grade	2 per main entrance	50' from other	20'

entryway monument sign ¹		or 6' above the elevation of the nearest sidewalk, whichever is greater	along collector and arterial streets for each planned development and subdivision	monument sign, 100' from any other entrance or pole sign	
Neighborhood entryway sign ¹	20 sq. ft.	Height: Incorporated into a wall to assume the approved wall height	2 per main entrance along collector and arterial streets	50' from other neighborhood entryway sign, 100' from any other monument or pole sign	10', outside of clear vision area
Off premises development signs ¹	32 sq. ft.	Height: 12'	1 sign per 100 residential units in a development	50' from any other freestanding sign or structure	18"
<u>Planned Center sign</u>	<u>250 sq. ft.</u>	<u>Height: 25'</u>	<u>1 per frontage onto an arterial/collector right of way</u>	<u>200' from any other pole sign, 150' from any monument sign and 50' from any other freestanding sign, except bus bench and bus shelter signs</u>	<u>n/a</u>
Pole signs ¹	80% of the street frontage of the lot upon which the sign	Height: 25'	1 sign per 200' of street frontage and 1 additional sign for developments	200' from any other pole sign, 150' from any monument	18"

	will be located, up to a maximum of 200 sq. ft.		with 400' or more of street frontage For corner lots, each frontage shall be computed separately	sign and 50' from any other freestanding sign, except bus bench and bus shelter signs. There is no required separation between pole signs and bus bench/shelter signs	
Pylon sign, minor	64 sq. ft.	Height: 12'	Approved as an element of a sign development plan	Not less than 150' from any other freestanding sign	18"
Pylon sign, major	200 sq. ft.	Height: 25'	Approved as an element of a sign development plan	200' from any other pylon sign or pole sign, 150' from any monument sign, and 75' from any other freestanding sign	18"
Sculptured signs	As approved by planning commission	Height: 8' above grade or 10' above the elevation of the nearest sidewalk, whichever is greater	n/a	n/a	10'
Suspended signs	4 sq. ft.	n/a	n/a	n/a	n/a

Temporary promotional signs ¹	Wall banners: 40 sq. ft. Freestanding signs: 24 sq. ft.	Wall banners: n/a Freestanding sign height: 6'	Wall banners: 1 per business plus 1 additional banner for a business located in a building having a front face of 150 linear feet or more Freestanding signs: 1 per business. Sign shall be securely attached to the ground	Wall banners: n/a Freestanding signs: 25' from any other freestanding sign	Wall banners shall be securely attached to the building facade Freestanding signs: 18" Searchlights: 50' from the edge of any street pavement
Village center advertisement signs	15% of building facade; max. 100 sq. ft./sign	No higher than second level/story of parking structure or commercial building	As approved in the development plan	n/a	n/a
Wall signs ¹	15% of each facade of a building	Height: n/a Projection from building: Not more than 18"	1 for each business occupying a building	n/a	n/a

Notes:

1. See section 12-3-3 of this chapter for exceptions and qualifications.
2. See also subsection 8-8-7B of this code, subsection 12-2-3F4 of this title and subsection 12-3-3C of this chapter. (2001 Code § 89-6-1107; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 11-08, 3-23-2011; Ord. 14-____, 08-27-2014)

12-3-3: EXCEPTIONS AND QUALIFICATIONS FOR SPECIFIC SIGN TYPES:

- A. A-Frame Signs: The use of A-frame signs is limited to areas of high volume pedestrian traffic and is limited to normal business hours. A-frame signs shall be stored indoors at all other times. A-frame signs shall not be used outdoors when high wind or heavy snow conditions exist.

B. Awning Signs: Awning signs may be displayed, if striping of not more than one color (including black and white) is used, and the background shall not be considered design space. Awnings placed on canopies or marquees are exempted from the twenty five percent (25%) limitation specified in section 12-3-2 of this chapter, but shall not exceed five feet (5') in height.

C. Bus Bench Signs And Bus Shelter Signs²:

1. Placement: Only one double sided sign is permitted in a bus shelter. This sign shall be placed inside the shelter and shall be securely attached to the opposite wall of the shelter that faces oncoming traffic.

2. On Benches Prohibited: Signs shall not be placed on benches located inside bus shelters.

3. Insurance: For any bus bench or bus shelter sign, the company or person responsible for the bus bench or shelter sign shall enter into an agreement with the city, which must be approved by the city attorney. This agreement will require, among other things, that the company or person responsible for the bus bench or bus shelter sign provide to the city proof of liability insurance in the minimum amount of one million dollars (\$1,000,000.00), name the city as an additional insured, and indemnify and hold harmless the city from any and all injuries and defense costs arising from the placement or use of the bus bench or bus shelter sign.

4. Sign Permit Required: A sign permit shall be required for each bus bench sign and bus shelter sign, and all applications for a sign permit must include the following:

a. Written approval from the property owner of the proposed location for the bus bench/shelter sign is required and shall be submitted with the sign permit application. This approval shall be required whether the bench or shelter is to be located on private property or within an adjacent street right of way;

b. A letter of approval from the Utah transit authority;

c. A fee, in an amount established by resolution of the city council. The permit shall be valid for one calendar year. A change in the text of the sign on the bus bench/shelter sign or a substitution of benches shall not require the issuance of a new permit or the payment of an additional fee, if the bench/shelter is placed in the same location as originally permitted;

d. A signed contract with the city for each bus bench or bus shelter sign located on public property; and

e. Include a site plan, vicinity map and specifications for bus bench and shelters, as well as any improvements needed for the particular site.

5. Approval: Once an applicant has obtained approval for the location of the bus bench/shelter sign, the approval shall continue as long as the permit is maintained or until the property owner withdraws the approval in writing.

D. Billboard Signs:

1. Compliance With Law: Unless expressly provided otherwise, the erection, construction, reconstruction, location, relocation, placement, replacement, restoration, extension, enlargement, alteration, modification, upgrade, repair and maintenance of a billboard must comply with this title, title 13 of this code, and applicable state law.
2. Location: Billboard signs shall only be located on lots or parcels adjacent to streets that are adjacent to arterial streets as identified on the future roadway network map in the West Jordan master transportation plan, including Airport Road, Old Bingham Highway, New Bingham Highway and Bangerter Highway. Billboards shall not be allowed along the Mountain View Corridor.
3. Density: A billboard shall be considered a sign for the purpose of density on lots or parcels of land that qualify for a sign, except that if the billboard was located on the lot pursuant to a bona fide lease agreement with a third party prior to the installation of the pole sign, the billboard may remain upon the lot as a nonconforming billboard.
4. Residential, Mixed Use (Residential, Commercial, Office), Or Mixed Use Overlay Zone Prohibition: A billboard shall not be located within a residential zone or within a two hundred fifty foot (250') radius from a residential zone, except billboard signs along Bangerter Highway which shall not be located within a one hundred fifty foot (150') radius of a residential zone. A billboard sign (digital display) shall not be located closer than three hundred feet (300') from any residential zoning district boundary and shall not be located closer than five hundred feet (500') from any residential zoning district boundary if the billboard faces a residential area as determined through the Conditional Use Permit review process. A billboard sign shall not be located within any mixed use or mixed use overlay zone, regardless of the underlying zoning classification. The minimum separation between billboard signs (digital display) and any other billboard sign shall be one thousand, twelve hundred and fifty feet (1250'). The separation distance may be reduced where the Planning Commission finds that there are extenuating circumstances that justify a reduction in the separation requirement such as reducing the negative effects of ambient lighting or visual impacts on adjoining uses or mitigating safety concerns. In no case shall the minimum separation between billboards be less than seven hundred-fifty feet (750').
5. Numerical Limit: The sum total of all conforming and nonconforming billboards in the city shall not exceed fourteen (14). Up to seven (7) of the fourteen (14) total billboards shall be located to the east of Bangerter Highway and up to seven (7) shall be located to the west of Bangerter Highway. Signs on lots or parcels directly adjacent to either side of Bangerter Highway can be counted toward the limit of seven (7) for either side of Bangerter Highway.
6. Expiration And Revocation:
 - a. The standards and requirements for revoking a conditional use permit set forth in section 13-7E-10 of this code shall not apply to this section. Whether conforming or nonconforming, a billboard and associated rights shall be terminated only pursuant to the provisions of this section and applicable state law.

b. If a billboard is conforming, any time after five (5) years from the date the billboard was approved, the planning commission may reevaluate the conditional use for the billboard to determine if conditions under which the permit was issued have changed and necessitates the revocation of the permit. Conditions shall be deemed to have changed if any of the following has occurred:

- (1) The owner of the billboard has failed to keep the lot where the billboard is located free of weeds and litter;
- (2) The owner of the billboard has failed to maintain the billboard in a safe condition, including, but not limited to, maintaining the billboard's borders, trims, faces, and its weight bearing and bracing structures; or
- (3) Conditions included with the approval of the conditional use permit are not being met.

7. Repair, Rebuild, Restore, Modification:

a. A billboard owner may rebuild, maintain, repair or restore a billboard structure if it is damaged by casualty, an act of God, or vandalized.

b. (1) A billboard owner may rebuild or take other measures to correct a mistake in the placement or erection of a billboard for which the city has previously issued a permit, if the proposed rebuilding or other measure is consistent with the intent of the permit.

(2) The city may deny a billboard owner's request to rebuild a billboard or take other measures to correct a mistake in the placement or erection of the billboard if the mistake resulted from an intentionally false or misleading statement by the billboard owner in the application regarding the placement or erection of the billboard.

c. A nonconforming billboard shall not be rebuilt or replaced by anyone other than the billboard owner.

d. A billboard owner may structurally modify or upgrade a billboard. If a billboard owner structurally modifies or upgrades a billboard, the billboard owner:

(1) May erect the billboard:

(A) To a height that is at least the same as, but no higher than, the previous use or structure, unless the city ordinances allow or the city consents to a higher structure; and

(B) To a height and angle to make it clearly visible to traffic on the main traveled way of the street or highway on which the billboard is located; and

(2) May install a sign face on the billboard that is at least the same size as, but no larger than, the sign face on the billboard before its relocation; and

(3) Shall comply with the Utah outdoor advertising act, Utah Code Annotated title 72, chapter 7, part 5, to the extent applicable.

8. Relocation:

a. Correcting Mistakes:

(1) A billboard owner may relocate a billboard to correct a mistake in the placement or erection of the billboard for which the city has previously issued a permit, if the relocation is consistent with the intent of the permit.

(2) The city may deny a billboard owner's request to relocate a billboard to correct a mistake in the placement or erection of the billboard if the mistake resulted from an intentionally false or misleading statement by the billboard owner in the application regarding the placement or erection of the billboard.

b. Relocation To Commercial, Industrial Or Manufacturing Zones:

(1) A billboard owner may relocate a billboard into any commercial, industrial or manufacturing zone within the city boundaries, if the relocated billboard is:

(A) Within two thousand six hundred forty feet (2,640') of its previous location;

(B) No closer than five hundred feet (500') from an off premises sign existing on the same side of the street or highway; and

(C) The city and the billboard owner agree on a location that is mutually acceptable.

(2) If a billboard owner relocates a billboard under this subsection, the billboard owner:

(A) May erect the billboard:

(i) To a height that is at least the same as, but no higher than, the previous use or structure, unless the city ordinances allow or the city consents to a higher structure; and

(ii) To a height and angle to make it clearly visible to traffic on the main traveled way of the street or highway on which the billboard is located; and

(B) May install a sign face on the billboard that is at least the same size as, but no larger than, the sign face on the billboard before its relocation; and

(C) Shall comply with the Utah outdoor advertising act, Utah Code Annotated title 72, chapter 7, part 5, to the extent applicable.

9. Eminent Domain: The city shall be considered to have initiated the acquisition of a billboard structure by eminent domain if the city prevents a billboard owner from:

a. Rebuilding, maintaining, repairing or restoring a billboard structure that is damaged by casualty, an act of God, or vandalism;

b. Relocating, rebuilding, or taking other measures to correct a mistake in the placement or erection of a billboard for which the city has previously issued a permit, if the proposed relocation, rebuilding or other measure is consistent with the intent of the permit;

c. Structurally modifying or upgrading a billboard; or

d. Relocating a billboard into any commercial, industrial or manufacturing zone within the city boundaries, if the relocated billboard is:

(1) Within two thousand six hundred forty feet (2,640') of its previous location;

(2) No closer than five hundred feet (500') from an off premises sign existing on the same side of the street or highway; and

(3) The city and the billboard owner cannot agree to a mutually acceptable location within sixty (60) days after the billboard owner submits a written request to relocate the billboard.

10. Termination/Removal:

a. The city may terminate a billboard and associated property rights pursuant to Utah Code Annotated section 10-9a-512, or its successor.

b. Notwithstanding subsection D10a of this section, the city may remove any billboard without compensating the billboard owner if:

(1) The development department or its designee determines:

(A) By clear and convincing evidence that the billboard owner intentionally made a false or misleading statement in the billboard owner's permit application regarding the placement or erection of the billboard; or

(B) By substantial evidence that the billboard:

(i) Is structurally unsafe;

(ii) Is in an unreasonable state of repair; or

(iii) Has been abandoned for at least twelve (12) months; and

(2) The city notifies the billboard owner in writing that:

(A) The billboard meets one or more of the conditions listed in subsection D10b(1) of this section;

(B) Upon written request, the billboard owner is entitled to a hearing as set forth in subsection D11 of this section to explain why the billboard shall not be removed;

(C) The billboard owner shall remedy the condition or conditions within the time period set forth in subsection D10b(3) of this section; and

(3) The billboard owner fails to remedy the condition or conditions within:

(A) Ninety (90) calendar days after receipt of the city's written notice, unless the city's intent to remove is because the billboard is structurally unsafe; or

(B) If the billboard is structurally unsafe, ten (10) business days after receipt of the city's written notice or a longer period if necessary because of a natural disaster; and

(4) Upon hearing or an opportunity for a hearing as provided in subsection D11 of this section it is found:

(A) By clear and convincing evidence that the billboard owner intentionally made a false or misleading statement in the billboard owner's permit application regarding the placement or erection of the billboard; or

(B) By substantial evidence that the billboard:

(i) Is structurally unsafe;

(ii) Is in an unreasonable state of repair; or

(iii) Has been abandoned for at least twelve (12) months.

11. Hearing:

a. Within five (5) calendar days after receipt of the notice required by subsection D10b(2) of this section, the billboard owner shall request in writing a hearing to explain why the billboard should not be removed.

b. If no hearing is requested within the time provided in subsection D11a of this section, the city's findings under subsection D10b(4) of this section shall be deemed established, and the city shall be entitled to remove the billboard.

c. If a hearing is requested, the city shall schedule a hearing within five (5) calendar days after receiving the written request.

d. The billboard owner shall have the burden of proving why the billboard should not be removed.

e. The city shall not remove the billboard if none of the conditions in subsection D10b(4) of this section have been met.

12. Hearing Board: The city manager shall hear and decide all issues regarding the removal of billboards in accordance with subsections D10b and D11 of this section or, alternatively, may appoint one or more persons to hear such matters, with the advice and consent of the city council. Whether as an individual or when constituted of more than one person, the person or persons designated shall be designated as the hearing board.

13. Billboard Signs (Digital Display): In addition to subsections D.1-13 of this section, all billboard signs (digital display) shall meet the following standards unless contrary to the provisions of applicable state or federal law:

a. New billboard signs (digital display) are limited to a "double sided" configuration (i.e. one sign face or display area mounted on opposite sides of the same support structure so that both sign faces are at the same elevation and are effectively not visible at the same time from any vantage point as reasonably determined by the city).

b. A billboard sign that is converted to a billboard sign (digital display) shall not be larger or taller in height, width or display area than the sign from which it was converted. The Planning Commission may increase the height of the sign to the maximum allowed under section 12-3-2 where the Planning Commission finds that safety is a concern. A single-faced sign may not be converted to a double faced sign.

c. Each electronic display area capable of showing a separate electronic message shall be considered to be a separate billboard with an electronic digital display including those sharing the same support structure.

d. The text, images and graphics on a billboard sign (digital display) shall be static and complete within themselves, without continuation in content to the next image or message or to any other sign. Serial messages that require multiple passes or multiple signs to comprehend the message are prohibited.

e. All text and images must be of a size and shape to not cause drivers to reduce speed or become unreasonably distracted in order to comprehend the message. The City's focus under this subsection shall be the method (in terms of letter size and other quantifiable physical attributes) used to convey a message on a billboard sign (digital display) rather than the content of such message.

f. A billboard sign (digital display) shall not include animation, full motion video, flashing, scrolling, strobing, racing, blinking, changes in color, fade in or fade out or any other imitation of movement or motion, or any other means not providing constant illumination.

g. The transition from one static display to another must be effectively instantaneous, with a twirl time not exceeding .25 second.

h. Every billboard sign (digital display) shall be equipped with a mechanism that automatically controls the sign's display period at all times as provided in this section. The dwell time for each message on a billboard sign (digital display) shall be at least eight seconds, such that each message shall be illuminated and static for at least eight seconds before transitioning to a new static display.

i. A billboard sign (digital display) shall comply with the following illuminance requirements:

(1) No billboard sign (digital display) shall cause illuminance in excess of three-tenths (0.3) foot candle above ambient light as measured perpendicular to the billboard at a distance in feet calculated as follows:

(A) The square root of the product of 100 multiplied by the sign face area () (in square feet).

$$\sqrt{a \cdot 100}$$

For example, if the billboard sign (digital display)'s electronic sign face measures 10' x 30' (300 square feet), then the illuminance caused by such use could not exceed three-tenths (0.3) foot candle above ambient light at a perpendicular distance of 173 feet from the billboard sign (digital display) sign face.

$$\sqrt{300 \cdot 100} = 173$$

j. Every billboard sign (digital display) shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's illuminance as provided above in direct correlation with natural ambient light conditions at all times.

k. A billboard sign (digital display) may not be illuminated, lit or operated between 10:00 p.m. and 7:00 a.m. if it is oriented towards and located within 300 feet of any property zoned or occupied for a residential use unless the message is an emergency public safety warning or alert, such as an "Amber Alert."

l. The following certifications are additional conditions of approval or continuation of any billboard sign (digital display):

(1) Within ten calendar days after a billboard sign (digital display) is first placed into service, a written certification shall be submitted to the city from the owner/applicant that the sign has been tested and complies with the motion, dwell time, twirl time, illuminance and other requirements of this section.

(2) Based on complaints received, or for other reasonable cause, the city may from time to time require the owner or operator of a billboard sign (digital display) to provide, within ten calendar days after receipt of the city's written request, an updated written certification that the sign has been re-tested and has been repaired or modified, as necessary, to comply with the requirements of this section.

(3) The city also may, at its option, from time to time verify a billboard sign (digital display)'s compliance with the requirements of this section, including by selecting and engaging qualified experts to measure the sign's illuminance and indirect illuminance. If the city reasonably determines that a billboard sign (digital display) is not in compliance with such requirements, then the owner or operator of the sign shall correct the noncompliance within ten calendar days after written notice from the city, and shall reimburse all of the city's costs reasonably incurred in connection with such determination.

m. Any billboard sign (digital display) not conforming to the requirements of this section is prohibited.

E. Directional Signs:

1. Off premises private directional signs are permissible only in cases where, due to its unusual location, a business is not easily seen from or is not located near a street.
2. Private directional signs shall contain only the name or logo of an establishment or directions such as "parking", "drive-through" or "exit".

F. Freeway Oriented Signs: Freeway oriented signs shall only be approved in conjunction with an overall sign plan for a regional shopping center.

G. Historic Monuments And Markers: Historic monuments and markers shall be constructed of masonry or noncorrodible metal materials, or other materials as approved by the planning commission.

H. Home Occupation Signs³: Advertising signs shall be limited to one unanimated, nonilluminated wall sign for each dwelling. The sign shall be placed either in a window or on the exterior wall on the front of the dwelling and shall not have an area greater than two (2) square feet. Minimal mailbox identification is permitted.

I. Inflated Sign Displays:

1. Display Period: Inflated signs may be displayed for no longer than fourteen (14) consecutive days per calendar quarter, and no longer than thirty (30) days during a grand opening.

2. Safety: Inflated signs shall be placed upon and securely tethered to the ground and shall be located in a manner that it shall not obstruct the use of public rights of way or otherwise constitute a safety hazard. Flammable gases shall not be utilized for inflated signs.

J. Monument Signs:

1. Height: The height of a monument sign may vary depending on the grading of landscaping upon which the sign is located. However, the combined height of the sign plus any landscape berming shall not exceed eight feet (8') above the elevation of the nearest sidewalk. The entire frontage of the site which the sign serves, not just the sign location, must have berming incorporated into the landscape design.
2. Construction: Monument signs in A, BR-P, P-O, M-P and P-F zones shall be constructed of brick or masonry materials which match the buildings identified by the monument sign, and shall be designed to be harmonious with the building architecture.
3. Copy Content: Copy of individual monument signs in A, BR-P, P-O, M-P and P-F zones shall consist only of the name and address of the occupant. Additional information may be displayed in an electronic message sign or changeable copy sign.

K. Off Premises Development Signs:

1. Sign Density Interpretation: The density standard of one sign per one hundred (100) residential units shall mean the following: One sign is allowed for a development with up to one hundred (100) residential units; an additional sign is allowed for a development with between one hundred one (101) and two hundred (200) residential units; a third sign is allowed for a development with between two hundred one (201) and three hundred (300) residential units, and so forth.
2. Illumination: Off premises construction or development signs shall not be illuminated.

L. Kiosk Signs:

1. Limited Purposes: Sign panels on kiosks may be permitted for the purpose of providing directional information to community facilities, homebuilders, residential developments under construction and multi-family homebuilders, developments and for those subdivisions, planned residential developments and multi-family developments having final recordation.
2. Location:
 - a. Kiosks shall be located only on private property;
 - b. Kiosks shall not be located in clear vision areas at intersections or driveways and shall not obstruct sidewalks, roadways or other locations where the signs may pose a hazard to motorists or pedestrians; and
 - c. Kiosks proposed on property adjacent to state roads shall comply with all applicable state provisions governing the location and site development standards for such advertising.

3. Construction And Materials:

- a. Kiosks and sign panels shall be constructed of metal, fiberglass or rigid plastic/vinyl materials;
- b. Each kiosk frame shall be constructed of steel;
- c. The individual kiosk signs shall not exceed one foot (1') in height and four feet (4') in width;
- d. Kiosks shall not exceed twelve feet (12') in height and four feet six inches (4'6") in width;
- e. The minimum and maximum number of sign panels on each side of the kiosk shall be at least two (2), but no more than seven (7) signs;
- f. Kiosks shall be securely fastened to the ground;
- g. Upon removal of a kiosk, the site shall be restored to its prior condition or better;
- h. The header of the kiosks shall be painted with the city logo and all surfaces of the sign and lettering shall be in colors approved by the city planner or his/her assignee;
- i. Changeable copy, internal illumination, ground mounted lights, overhead lights, exposed neon, pan channel letters, cabinet and painted signs are prohibited; and
- j. All street improvements for the property on which the kiosk is located shall be completed, including all curbs, gutters and sidewalks.

M. Pole Signs: Notwithstanding the density standards for pole signs listed in section 12-3-2 of this chapter, the owner or lessee of a pad site contained within a nonresidential development for which a sign development plan has been approved, shall not be permitted to have a pole sign upon the pad site solely by reason of the frontage, unless the pole sign was approved as part of the sign development plan. Pole signs shall be located as close to the midpoint of a lot or development as possible.

N. Temporary Signs:

1. All temporary signs shall be securely attached to a building or to the ground.
2. There shall be no specific spacing requirement between freestanding temporary signs and other temporary or permanent signs. However, signs shall be placed as far apart as possible in order to provide equal visibility for all signs. Signs shall not be placed so as to block the view of or obscure another sign.
3. Except for the signs permitted by subsection P of this section, no sign shall be located within a street right of way or within clear vision areas at intersections of streets or intersections of streets and driveways.

O. Promotional Signs:

1. Portable Signs Not Included: Promotional signs do not include portable signs.
2. Display Period: A temporary sign permit may be issued for promotional signage and is valid for a period not to exceed thirty (30) consecutive calendar days. However, no such permit may be issued for the same property or business more than four (4) times during any calendar year or for longer than sixty (60) consecutive days within the first year of a business's grand opening. A minimum of fourteen (14) days shall elapse between each display period.
3. Searchlights: Searchlights shall be directed upward at an angle of at least forty five degrees (45°) and operated only between dusk and eleven fifty nine o'clock (11:59) P.M.
4. Promotional Signs In P-O Zones: The use of a promotional sign in P-O zones shall be limited to one promotional sign at any given time regardless of the number of businesses occupying the building on the individual parcel.

P. Use Of Temporary Signs During Periods Of Major Street Construction:

1. During times of major street construction along arterial and collector roads, temporary, portable signs may be placed in the public right of way to mark points of ingress and egress. Such signs may include the messages "Business Access Only" or "Open For Business". The temporary sign may also include an arrow directing patrons to a specific driveway or alternate entrance and/or the name or logo of the business.
2. The maximum display period for temporary signs used during periods of major street construction shall be for a period not to exceed sixty (60) days beyond substantial completion of construction. The starting date for display of a temporary sign shall correlate with the commencement date of major street construction.
3. Businesses may qualify for these exceptions if the said business is:
 - a. Materially impacted by major street construction.
 - b. Located on an arterial or collector right of way.
 - c. Located within a half mile radius of the boundary (limits) of street construction.
4. A temporary sign displayed during periods of major street construction shall not obstruct the use of a public right of way, impede regular street construction work, obstruct a clear vision area of a street intersection, and/or create a direct or indirect safety hazard to pedestrians or vehicles.
5. The maximum number of temporary signs used during periods of major street construction shall be limited to one temporary double sided sign per business.
6. The size, height, density and spacing of a temporary sign used during periods of major street construction shall be the same as directional signs, section 12-3-2 of this

chapter. The location of such a sign shall not extend beyond the frontage of the property that is affected by construction or beyond the nearest accessible driveway.

7. All signs shall be securely anchored to the ground.

The boundary and scope of impact will be approved by city council after a recommendation from city staff.

Q. Wall Signs In BR-P, P-O Zones: Wall signs in BR-P and P-O zones shall consist only of the name of the occupant of the building.

R. Neighborhood Entryway Signs:

1. Subdivisions or planned residential developments of less than five (5) acres with final approval may not utilize a "neighborhood entryway sign", as defined in section 12-1-4 of this title, but may utilize one monument sign per entrance.

2. Subdivisions or planned residential developments of five (5) or more acres with final approval may utilize "neighborhood entryway signs", as defined in section 12-1-4 of this title, or monument signs. However, the use of neighborhood entry signs shall prohibit the use of monument signs, and the use of monument signs shall prohibit the use of neighborhood entry signs.

3. If neighborhood entryway signs are utilized, the maximum number of signs on each side of an entry point shall be one sign.

4. If monument signs are utilized, the maximum number of signs on each side of an entry point shall be one single sided monument sign. A double sided monument sign is permitted on only one side of the entrance or in a center median.

5. All neighborhood entryway and monument signs shall be architecturally compatible with on site signs, structures and streetscape walls.

6. All planned residential developments shall incorporate landscaping into the signage and obtain planning commission approval of it in the planned residential development plan approved by the planning commission.

7. Changeable copy, internal illumination, exposed neon, pan channel letters, cabinet and painted signs are prohibited.

S. Changeable Copy Signs In P-O Zones: Changeable copy signs will only be allowed to be placed in monument or pole signs within the P-O zone district.

T. Planned Center Signage: Planned Center Signs shall be applied to projects serving a variety of facilities and uses where the buildings are distributed in a contiguous campus, regional business center, research park, or large planned development type of setting. The purpose of this type of signage is to advertise businesses along major rights-of-way in a campus type of setting, where due to the scale of uses on several properties, larger on-campus signage is warranted and necessary.

[illegible]

Electronic/ LED									P	P	P	P	P	P	P	P	P	P	P	P
Freeway oriented																C				
Historic markers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Inflated display												P	P	P	P	P				
Kiosk	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C	A C
Monument 4 feet or less in height	A C	A C	A C	A C	A C	A C	A C	A C	P	P	P	P	P	P	P	P	P	P	P	P
Monument over 4 feet in height				A C					P	P	P	P	P	P	P	P		P	P	P
Nameplate	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Neighborhood entryway		P	P	P	P	P	P	P	P											
Neighborhood entryway monument		P	P	P	P	P	P	P	P											
Off premises developme nt	A C	A C	A C	A C	A C	A C	A C	P	P	P	P	P	P	P	P	P	P	P	P	
<u>Planned Center Sign</u>									<u>A C</u>	<u>A C</u>	<u>A C</u>				<u>A C</u>	<u>A C</u>	<u>A C</u>			
Pole													P	P	P	P	P			A C
Pylon, major																P				
Pylon, minor																P				

Sculptured									A C	A C	A C	A C	A C	A C	A C	A C	A C	
Suspended									A C			P	P	P	P	P		
Temporary promotional				P					P	P ²		P	P	P	P	P	P	
Village center advertisement sign									A C ³	A C ³								
Wall	A C								P	P	P	P	P	P	P	P	P	P

Notes:

1. See section 12-3-4 of this code for sign regulations in the city center (CC) and west side planning area (WSPA) zones. See section 12-3-5 of this code for sign regulations in the transit station overlay district (TSOD).
2. See section 12-3-3 of this code for exceptions/qualifications.

3. Village center advertisement signs may be approved by the planning commission and city council through the development plan process, and through the site plan process. Following completion of the plan and plat approval processes, any new or replacement village center advertisement signs shall be subject to administrative conditional permit application and approval. (2001 Code § 89-6-1106; amd. 2009 Code; Ord. 10-20, 7-28-2010; Ord. 13-04, 2-27-2013; Ord. 14-22, 06-11-2014; Ord. 14-____, 08-27-2014)